

## Interviews with DELIA OPEKOKEW

### Transcript

For the Diversifying the Bar: Lawyers Make History Project  
Law Society of Upper Canada

Interviewee: Delia Opekokew [DO]

Interviewer: Allison Kirk-Montgomery [AKM]

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[Transcript has been edited by AKM and Delia Opekokew to correct errors, and to remove repetitions, interruptions, false starts, etc. for improved clarity.]

### First Interview

Interview Date: 14 November 2011

**AKM:**

Good afternoon.

**DO:**

Good afternoon.

**AKM:**

I'm at 160 John Street in Toronto at the office of Delia Opekokew.

**DO:**

Opekokew. [oh-PEEK-oh-kew]

**AKM:**

Opekokew. Thank you. My name is AKM and I'm here on behalf of the Law Society of Upper Canada for the Diversifying the Bar: Lawyers Make History project. I appreciate being here.

**DO:**

Thank you.

**AKM:**

This project is about diverse communities, lawyers from diverse communities and I wonder if we can start by you telling me about your home community, the community of your childhood.

**DO:**

I had various communities of childhood and my first one was I was born on the Canoe Lake, Cree First Nation, on the Indian Reserve in Northern Saskatchewan. And I was there until I was about eight. Then I attended the Beauval Indian Residential School for elementary school. And then for high school, I went to the Lebreton Indian Residential School. So, my childhood was spent with my family, with my parents, and then [I] moved to the school and was in boarding (the residential schools are boarding schools), and went home only during the holidays, from both residential schools.

**AKM:**

And despite the terrible things about the residential schools and their impact I guess they...that was your community for those years that you lived in there.

**DO:**

Yes, it was.

**AKM:**

And you considered it your home during that time, or no?

**DO:**

Well, I was there for 10 months of the year.

**AKM:**

Yes.

**DO:**

So, I had to accept that it was my home for that period of time.

**AKM:**

Were the two schools very far from Canoe Lake?

**DO:**

Yes. Well, the first one wasn't. It was only 30 miles but there was no highway at the time. And so my father first brought me to the school by canoe, motorboat, and it was quite a long trip. It was an overnight trip. I think it was one or two nights. And in the winter he picked me up for the holidays with my brothers, in some cases by horse and wagon, and in other cases they would rent what they used to call a snowmobile machine. In the other one, in Lebreton, that one was about from the middle part of the province to the southern part of the province. And we attended by bus and it took quite a while. We would spend one night in one town and then continue the next day. And in mileage or—let's see, just to think about it now—it would take, oh gee, at least 12 hours by car or bus.

**AKM:**

Long trip. and your brothers, you mentioned your brothers, were they both at the same schools as you?

**DO:**

At the first one they were. They didn't go to high school as I did. Not at that time. They went later at different places but not to the same high school as I did...In [high] school I

was the only one. But family-wise, there's—I have six brothers, one is deceased and two sisters.

**AKM:**

And what birth order are you?

**DO:**

I'm the third oldest and the oldest of the girls.

**AKM:**

So, you were the only girl that went to school, to high school?

**DO:**

Oh, no, no, my sisters all went to school. In fact, they both went to university eventually. It's just that I was older than them and so at the time...

**AKM:**

I understand.

**DO:**

The only available school was Indian residential school for high school. I mean, I did go, for one year, to a convent, it was a private boarding school. But there were limited choices whereas, my sisters were younger and they had a better choice.

**AKM:**

I see. Now, this would be in the, the...

**DO:**

This would be in the '50s and '60s.

**AKM:**

Fifties and sixties, so under the old assimilation formal principles and so forth of the schools, right? That was still the policy I think...

**DO:**

Yes, yes it was.

**AKM:**

As well as the practice.

**DO:**

It was the policy to assimilate but I don't really recall that being a major issue with me. Because my father and my mother came to visit quite a bit and so I was able to continue my language.

**AKM:**

Which is Cree?

**DO:**

Cree.

**AKM:**

Why were your mother and father able to visit? It seems so far, I mean, so difficult.

**DO:**

Well, my father was a very hard worker. So was my mother, in fact. She's 95. And she still makes those moccasins [referring to three pairs of moccasins framed on the office wall].

**AKM:**

They're beautiful.

**DO:**

They were both very hard workers. Also they were very encouraging. My mother prepared me and told me as a young child that I had to go to school, and this was the only option. There was no other school. I think the fact that she prepared me along with my aunt who prepared me in the sense that my aunt taught me how to read and write before I went to school and my mother taught me. She had gone to school and in her day they did a lot of crafts – knitting, embroidery, and she had me doing all of that before I went to school. I think that made me enjoy education, enjoy going to school.

Because I learned it first from people that I loved, like my aunt, who eventually herself returned to school and became a teacher. Years later she went back to high school and then university and got her Bachelor of Education and taught kindergarten for years. But at the time she had just married my uncle and she was a stay-at-home homemaker so she had a lot of time to spend with me.

**AKM:**

And no children yet.

**DO:**

Yes.

**AKM:**

What's her name, your aunt?

**DO:**

Vitaline Iron. And she's got quite a story. She never was able to have children but she had adopted a daughter and the daughter became a teacher, both with her Bachelor of Arts and Bachelor of Education. Her grandson and her two girl grandchildren are doing exceptionally. One has won a Lieutenant Governor's award for one of the top marks in Saskatchewan. So, my family was predisposed to education including my mother and my dad. And they made an effort to visit me a lot at the residential school. I think that prevented my suffering the same type of abuses that others did because I was not one of the vulnerable children because, uh, abusers tend to be predisposed to going after vulnerable children.

**AKM:**

And your good marks made you strong.

**DO:**

Oh yeah, I loved my good marks [laughing]. I competed, I was very competitive and I wanted to always be first.

**AKM:**

And were you?

**DO:**

Most of the time, yes.

**AKM:**

That's interesting. What did your father do?

**DO:**

My father was a hunter, trapper, fisher. He had a huge garden, enough that he was able to sell the produce to one of the hospitals and the school. We also had cattle. We had a bit of a farm. My mother was really into her chickens and she made a lot of stuff from the milk. They were very busy. They did a lot of stuff. And she did her beadwork all along and she sold her moccasins all over.

**AKM:**

You have them on the wall in your office here.

**DO:**

Yes. Three pairs of beautifully decorated with beadwork moccasins.

**DO:**

Yeah. Yes.

**AKM:**

What crafts did you learn from her?

**DO:**

I learned how to knit. I learned how to do embroidery. I learned how to sew. I even learned how to do beadwork. But I honestly don't have the patience. I also learned how to cook. I used to as a child, I really loved home economics and I used to practise on my parents and they would have to eat what I practised. And they would allow me to buy all the spices that I needed so that I could cook and bake. I loved to bake. I used to bake, because I used to work in the bakery at the school.

**AKM:**

What did you, um, inflict on your parents?

**DO:**

I remember inflicting lemon meringue pie and I made it from scratch, with the lemons and the meringue. I remember doughnuts where I actually did them from scratch with the heavy fryer. And I was just a kid. I was still in elementary school when I was doing this and I think my father used to get ill occasionally because he was not used to that kind of food but they ate it.

**AKM:**

Because they loved you.

**DO:**

I think, well, they wanted me to experiment.

**AKM:**

Did you get a chance to cook your family food as well?

**DO:**

Yes, to a certain extent I did.

**AKM:**

Of course, that's not what they taught in the bakery, not what you were making.

**DO:**

No, but I spent summers with my mother. And I had to help her with the large family because I was the oldest girl.

**AKM:**

You're a survivor of these schools. Have you considered, or have you given your experiences to the Truth and Reconciliation Commission?

**DO:**

No, I haven't. I've attended many of their events because I want to bear witness to some of the stories, not stories, they're actually about their experiences at the school. And my experience is something I don't think I'm ready to talk about, because the information that is coming out now is so graphically *[pause]* hard because there was so



much suffering. And if I come in there with my story which is very different I think I would not be paying proper respect to their stories. I may do it privately. I actually had a lot of, dare I say, fun?

**AKM:**

You dare.

**DO:**

I did have a lot of fun. And I did stuff that—I even had a dog in residential school because there was a stray dog and I asked one of the nuns if I could keep it and they said, “Yes, as long as you feed it.” So I arranged with the kitchen to give me the scraps and I would feed the dog. Someone eventually stole the dog but I had it for quite a while. But I did a lot of stuff like that. I did innovative things because I was not limited. It isn’t that I didn’t allow myself to be limited. It’s just that I was not used to being limited because of the kind of environment I came from. So, I would go ahead and do a lot of stuff that probably was not allowed normally. But I, I did it.

**AKM:**

It sounds like you had some good teachers or mentors at the schools as well as at home.

**DO:**

Yes. I think it’s because I was—I didn’t take “no.” I think when you don’t take “no,” people may try to control you but if they know that you’re not controllable anyway, it’s easier for them to allow you—I had more restrictions through my brothers because my brothers would tell me I was not supposed to do that. Like there’s a lot of stories about people being forbidden from seeing their brothers. I never allowed that. If I had any candy I would just walk across and go and see them. And I really used to embarrass my brothers for doing stuff like that.

**AKM:**

And your brothers would say, “Don’t come over here.”

**DO:**

Yeah, and the other kids were also the ones that that attempted to control me because they would say you’re not supposed to do that if I did something. Then I would forget myself. I always forgot myself and then I would do it again, or I would do something that I wasn’t supposed to do. Then someone would tell me you’re not supposed to do that

repeatedly, over and over again. I was never able to [not] do what people said I could not do or I just didn't, I wasn't able to listen. Part of it, I think, is that I do have ADD and I'm hyperactive, it's sort of a mental illness. When you have something like that, there's just no way people can control you—if they had known about medication and had given me medication to control me but at the time you couldn't. Also I came from an environment where my father, when I was a child bought boxing gloves for my brothers and then I proceeded to be the one to use them. And then he would say “good for you” and he encouraged me.

**AKM:**

When did you discover that you had ADD?

**DO:**

Well, I always knew that I was hyperactive and I didn't quite fit in in many situations and eventually I did get diagnosed. I was always very energetic.

**AKM:**

Reading your biography I, I believe you.

**DO:**

I think a lot of lawyers have ADD.

**AKM:**

The 12, 18 hour days and the...

**DO:**

Yes, yes.

**AKM:**

Yes. It doesn't sound like it's something you regret having.

**DO:**

Well, there's really not much I can do about it [Laughter].

**AKM:**

But you didn't get into trouble then really because of it.

**DO:**

Oh, I got into a lot of trouble but I didn't allow that to interfere with what I wanted to do.

**AKM:**

Just did it anyway.

**DO:**

I did it anyway.

**AKM:**

And your marks protected you.

**DO:**

I suspect that that had a lot to do with it and my energetic desire to try whatever they were trying to teach us. I would get very enthusiastic about whatever it was that was on the table to teach us. And so I suspect because of my enthusiasm, they allowed me a lot of freeway.

**AKM:**

And your parents' response to hearing about your escapades and so forth?

**DO:**

It just added to the family lore.

**AKM:**

You had a sense of yourself, maybe, as special.

**DO:**

Because my father and my mother, I think, when I did something unusual, they laughed about it as opposed to trying to control me. And I did a lot of unusual things even before I went to school.

**AKM:**

Tell me more about them.

**DO:**

Oh, my mother said she lost me when I was still in diapers early in the morning. And it was in the summer time, thank goodness, and early in the morning, I guess, I had decided to get up on my own and I went out. And they found me, I had somehow climbed on top of the barn and I was on the top of the barn in my diapers.

**AKM:**

Are you still not afraid of heights?

**DO:**

Not really. Well, I fly a lot.

**AKM:**

That's true.

**DO:**

Yeah.

**AKM:**

You fly all the time. So, your parents were a strong influence on you. And I know that when you received the National Aboriginal Achievement Foundation Award you said it was your upbringing that grounded your work. What other aspects of your upbringing were you thinking of maybe, or that you might consider?

**DO:**

There were negative things, that did happen in my upbringing. Like, there's limitations in my life. I don't have any children and I was married at one point and I have had many relationships. I never really had that maternal instinct. I remember my mother, it was almost she was telling me, "don't have a family." She was saying it's very difficult to be a mother, very, very difficult. She didn't try to romanticize it for me. At the time for her it was absolutely difficult. It was just having a large family that both my parents had to work so hard to be able to provide for us with a decent kind of living, and with the hope that we would have a future. So they really, really had to work hard and so, she didn't want that for me.

In a way, that's limiting because I have not had the pleasure of having children and that's a loss. Now I realize. When I was younger I thought it was exciting that I could do whatever I wanted to do whenever, never had a traditional type of marriage. Used to just leave and go on and do whatever I had to do. Like, I worked one summer during my marriage, in New York City while my ex-husband was living here. One summer I worked in Ottawa. Another summer I worked in Regina. And so, that's partially because of my mother's upbringing.

**AKM:**

She didn't want you to feel controlled in any way.

**DO:**

She hated people being controlled. She must have thought that she was controlled too much in her life.

**AKM:**

What about your sisters then? How, what choices have they made, your siblings?

**DO:**

They have families, both of them do. And they're good mothers.

**AKM:**

It's interesting to think back. You can't think back until you've gone forward enough, right?

**DO:**

Yes, that's true.

**AKM:**

You speak Cree and English, obviously, other languages?

**DO:**

No, just the two.

**AKM:**

You've answered some of the questions. You're such a path breaker, you've done so many different things and I see some of it coming out of your understanding of why this is. But, you are so very exceptional and I wonder if you can talk about—Walter Dieter was a figure in your life. And you were an assistant to him, [at the] Federation of Saskatchewan Indian Nations. Was he an important figure? Was this an important period in your life?

**DO:**

Yes, it was very important. I had met his wife first. Inez Dieter is her name. When I left after residential school, after high school, I went into secretarial, business college, what they used to call business college, where you train to become a secretary.

**AKM:**

Where was that?

**DO:**

In Saskatoon. It was called Robertson Secretarial School. And my first job was with the province of Saskatchewan in Regina, in the Agricultural Department working as a clerk typist. At the time they were making an effort to hire Native people. And one of the other persons that worked in that same office was Inez Dieter. [She and I were probably the only] Native people in this large office. She asked me one day, "How come you never come for lunch?" And I said, "Because I have nothing to eat. I have no money and I have nothing to eat." And she says, "Okay, I'll bring an extra sandwich tomorrow." Then she told me, "My husband just got elected to a position." I didn't know anything about it. "Maybe you should come to our house at supper time and then you can do some typing for him." I said sure. And that's how I met Walter Dieter. It was through his wife.

So the Federation of Saskatchewan Indians at the time was an organization that was almost like a federation of labour organizations attempting to represent the First Nations of Saskatchewan through lobbying and through representing their interests and not only with government but [with] business, attempting to find jobs. But they had no money to operate an office, absolutely no money. So, they were volunteering their time, people that were elected to the positions.

So, Walter Dieter at the time was writing a proposal to any government to try to open an office. He had been a truck driver and during his long trips he would hear in the radio about what was going on in other countries with decolonization with the concept that if you're going to assist people to improve their lives, the best way is to organize them, through community organization, from where they are, rather than imposing changes on them. Find out what it is that they're doing, what it is that they have hopes and

aspirations about and see what you can do to try to assist them to meet those aspirations. So he wanted to open an office where he could hire workers to go into the communities and to assist the communities in the betterment of their lives.

This is the mid '60s. This was a time when in some of those reserves there was no elected chiefs because the government Indian agent was in power. And that was one of the things he wanted to do, he wanted to assist them to organize into a government so that they would, in fact, have elections and have chiefs and councils so that they can operate as a self-governing unit, because they didn't have that. It was totally top-down imposed from the government. So I assisted in writing the proposal. I was supposed to only type it but I realized that the English could be improved and I assisted in that. And so we started to work together.

And we got the money! We were totally surprised but we got the money from the government. It wasn't from the Department of Indian Affairs, it was some sort of a western economic program administered by the Government of Canada but it wasn't the Aboriginal Affairs or Department of Indian Affairs. It was an agency called ARDA. He got the money to hire six or seven people. He went to the board, his executive, and said that he also wanted to hire me. And he was thinking that he would hire me as his secretary, as the secretary for all of them. One of the old executive members misunderstood him and said "Well, yeah she can work with the youth and women in the community. She can do the same job as us, as a community organizer, and she can work with the youth," and he said "Sure, Walter." [Walter] didn't explain to them. So, my salary improved from a [laughs] secretary's salary to that of a community organizer. And he came back and he told me and I was just stunned. So, I had to quit my job, of course.

In the meantime, the program director of the office I was working at in the Department of Agriculture phoned Walter and said, "What are your intentions?" They were just absolutely suspicious that I would be leaving a good position to jump into something that may not have any respectability and, in fact, you know, [they thought that] Walter Dieter may have had bad intentions. The end result is that he did do what he had to do and he became very respected... across Canada because many of the First Nations didn't have organizations in their own provinces and they asked Walter to go to the many communities to organize across Canada. And he did, and I went along on many of those trips. And, in fact, that picture over there *[pointing to the wall]* is during that era, that's 1968.

And that's *[pointing to another photograph]* a picture of myself and Pierre Elliot Trudeau. The other two people in the picture are Omer Peters who was the president of the Indian provincial organization. It used to be called, it is still called the Union of Ontario Indians. And then, Harold Cardinal was the president of the Indian Association of Alberta. Walter was one of the founders of the National Indian Brotherhood. He was the first president of the National Indian Brotherhood which is the forerunner to the

Assembly of First Nations. And when we met with the Prime Minister we met with him to discuss the whole issue of Aboriginal and treaty rights.

**AKM:**

That is an amazing story.

**DO:**

And then, within the year, in those days the executive were not called chiefs. They were called—they were like a regular non-profit corporation with a president and vice-president, a secretary, a treasurer. Walter says, “Why don’t you run for secretary of the executive committee?” So I did and I won and I became a secretary of the Federation of Saskatchewan Indian Nations, the executive secretary, at a very young age, in my early 20s.

**AKM:**

So, from secretary to secretary.

**DO:**

Yeah, well, I was an ordinary secretary but then I became...

**AKM:**

I know. [Laughs]

**DO:**

Yeah.

**AKM:**

So, how long was that from when you were invited by Inez to eat a sandwich with her?

**DO:**

Oh, it was like two or three years. Those were the days where there very few educated Indians. So, I think anyone could have been in my position. There were just so few of us that had taken—even though mine was not a university, it was still post secondary education, just doing that business college course. Harold Cardinal was about the same age as me and he was already the president of the Indian Association of Alberta. And



he had gone to university. In fact, I think they literally took him out of university, St. Paul University in Ottawa. There were so few of us. There's was just, literally, a handful.

**AKM:**

So, when you came out, just to backtrack, but you came out of high school then and you planned to go to secretarial school or did you look around and think what can I do now or—

**DO:**

Really, what can I do now? I think both my parents and I, without really discussing it, realized that I would never be able to fit into the community. I just would not have. Something would have happened to me because I was just—my energy level was so super. And those were the days—we were not even into budding feminism. I would not have been accepted well at all. I think they realized that it was best that I go on my way elsewhere, where I could have better opportunities.

**AKM:**

Your family was a feminist family.

**DO:**

Yes, they were.

**AKM:**

Why were they different, do you think? Or how did that come about?

**DO:**

My mother was very strong. So was my father. I don't know how it came about. I'm sure they have their own story. They certainly respected talent of any type from anyone.

**AKM:**

So, when you came out you, you just assumed yourself that you wouldn't be going back there.

**DO:**

Yes.

**AKM:**

Some other place in the world was where Delia was going to make her mark.

**DO:**

That I had to. I think my mother had instilled in me that I had to get an education and I had to do something that I could use to get a job.

**AKM:**

But at that point you had no idea of being an activist for Aboriginal peoples.

**DO:**

No, no, no.

**AKM:**

And did that happen in those two years with Walter or no?

**DO:**

Well, no. When I was at the secretarial school we had formed a Native youth organization with all the people that were going to either high school or post secondary school, Native people in the city of Saskatoon. So, I remember joining the group and being elected into one of the positions. It was like a student government and being elected. And then when I was in Lebret, at the Indian residential school, I won a lot of prizes of different things. So I was sort of used to not necessarily taking a leadership role but almost being pushed into it and just...

**AKM:**

And organizations were natural things for you to be in.

**DO:**

Yes.

**AKM:**

What did you hope for, for instance, for the Native Students Organization in, it was Saskatoon, was it?

**DO:**

It was Saskatoon. I can't even recall. It may have been just to have dances. That was one of the things we did. It may have been just to get to know the other students in the city so we'd be much more comfortable about being in the city.

**AKM:**

So then, when you were with, were with Walter Dieter's organization and you became a community organizer of young people, is that what you actually did then?

**DO:**

Young people and women. But he had me do a lot of things. I remember one of the things he was promoting at the time was human rights because human rights legislation had just come in. I was actually working with a group of women in one of the reserves and they had told us about the fact that there was one hotel that didn't serve Native people in the bar. Or if they did they put them in separate facilities. So, we made a decision to go and try to file a complaint but we had to stage the scene where we did. And I remember I wasn't used to alcohol at the time and ordering ginger ale and beer just so that I'd have alcohol. And we all got told to leave because we were Native. And so, we filed a human rights complaint and we won. It was one of the first ones at the time.

Walter was a major proponent, having worked off-reserve all his life, of jobs. And he had me go and meet with some of the potash industry employers. I remember driving by myself and, because most of the potash companies were located where the mines were, [I went to] isolated areas of southern Saskatchewan. And I guess I must have had appointments because I remember going right into the executive offices and meeting with them and telling them that we were interested in their opening positions or hiring more Native people. And we did a lot of things. We advocated for treaty and Aboriginal rights but we also advocated for better conditions in the urban areas. We met a lot with mayors to try to improve services for Natives in the city. In fact, I remember getting quite used to calling the Deputy Premier in Saskatchewan for different things because we were trying to get people to be appointed into the different crown corporations. And we did get them to do that. People were starting to get appointed into those, so we were essentially doing that type of advocating for social justice in the different institutions.

**AKM:**

What kind of response did you get when you knocked on the door and this young Native woman comes in?

**DO:**

People were very much paternalistic and sexist in those days. And they thought it was really cute that I would come around and do what I had to do. And I got the attention.

**AKM:**

So you used it.

**DO:**

Oh yeah.

**AKM:**

What did you think of Pierre Elliot Trudeau and the premiers and all these important white men?

**DO:**

I never really had any antagonism towards them. I always was delighted by people with talent. And I enjoyed him [Trudeau], I, met him a few times after and I remember running into him and yelling, hello there, you know, flirting and he did the same. It was—I didn't spend too much time being angry about stuff.

**AKM:**

I like your dress in this picture [with Pierre Trudeau].

**DO:**

Yeah, I remember I bought it at the, what was it called? It used to be the Colonnade [in Toronto]. It was nice, it's no longer there.

**AKM:**

I know the name. I know the place you mean.

**DO:**

Yeah. I just used to love that store.

**AKM:**

Was it difficult moving into that world?

**DO:**

It was more difficult moving into that world when I was in Saskatoon, when I first went into the city, because I had to learn a lot of life skills.

**AKM:**

That you hadn't learned in the schools.

**DO:**

That I hadn't learned, or at my home being in an isolated reserve.

**AKM:**

What were they?

**DO:**

Like, just using a telephone, going to a grocery store; really basic, basic things. And I always was lucky to have mentors like Inez Dieter who taught me things. And I had mentors all along the way including Walter Dieter. He taught me how to drive. He says, now that you've gotten this job you're going to have to learn how to drive. You're going to have to get a car. And I got the job on April 1<sup>st</sup>. I had my licence by the 18<sup>th</sup> of April.

**AKM:**

But did you know how to drive?

**DO:**

I didn't know, well, I got my licence. He taught me how to drive and we went into parking lots and fields in the country and he just made me drive, drive, drive. And I got it in 18 days because I wanted the job. Like, when you really want something, you really had to learn fast. I really, really had to learn fast, to do whatever I needed to do because I just didn't have the basics.

**AKM:**

Did you ever think, "Ugh, I can't do this? This is too difficult."

**DO:**

If I did and I did do that a lot, I would forget it and then I would start doing something and then I would get excited. I just got excited about doing something and trying and, my desire, I guess, would overwhelm my shyness.

**AKM:**

Did you drive back home in your car?

**DO:**

Oh yes. Yeah.

**AKM:**

What car was it?

**DO:**

My first car [Laughs] was a convertible and it had a hole in the back and we put it together with—even when you put on the hood over it there was a tear on some sort of a plastic window and I had to put tape over it. But I was very proud of my car.

**AKM:**

So, how long did you stay with Walter Dieter in that organization?

**DO:**

Not too long, about two or three years.

**AKM:**

And what happened?

**DO:**

I came here. I came to Toronto. I had met my future husband, in Montreal during the Expo, 1967.

**AKM:**

What was his name?

**DO:**

His name was Johnny Yesno. He's no longer alive. Yeah. He was working for CBC Radio and he had just won—there was a series called *Wojeck* in those days and he was an actor. John Vernon was the main actor. And Johnny did a part in it. Johnny was like me. Apparently, he had gone to CBC and he says, "Well, you have so many non-Natives doing Native parts, I'd like to play a part." And they say, "Come back later," or something. But he eventually got a part and that particular [episode] he was in won. It used to be called the [CBC] Wilderness Awards for Best Actor, which was before the ACTRA Awards. And so he was quite famous in the Indian world, across Canada really, at the time.

**AKM:**

So, you knew him before you—

**DO:**

Of him. I knew of him. And so, I really made an effort to meet him. That's when I moved here. He was one of the reasons. But there was other negative reasons, which is that I did get harassed quite a bit.

**AKM:**

Do you mean sexually harassed?

**DO:**

Well, I don't really want to go into that.

**AKM:**

I see.

**DO:**

But I did get harassed. There were a few negative things that happened in Saskatchewan and I thought, "I think it would be better if I go someplace where there are more people like me and I don't stand out." I didn't want to stand out. And there's just so many people that are higher achievers than I am in Toronto. I wanted to be just ordinary and average so that I didn't get noticed because I got noticed a lot in other smaller venues. And I just didn't want to be noticed. That was always one of my dreams, that I didn't want to be noticed. Except I would forget myself and (I think it's because of the ADD) then I would do something and I'd forget that I was supposed to be keeping my eyes down so people would not notice me. So, there were negatives to

it. And that was one of the reasons, in fact, it may even have been the most important reason why I moved.

**AKM:**

So, you came to Toronto in '67, did you say?

**DO:**

Well, I met him but I didn't come. I didn't leave Walter Dieter until '69.

**AKM:**

Sixty-nine. And you came here because his career was here in, with CBC?

**DO:**

It was in Montreal but he eventually moved here.

**AKM:**

Okay. What happened next? Let's put it that way.

**DO:**

What happened next is that Walter Dieter connected me to a group. It used to be called the Indian Eskimo Association of Canada. It's a very unique story. The person who was head of the Indian Eskimo Association of Canada was called Ernie [McEwen]. And Ernie was one of the founders of a group of non-Native people that wanted [to do] what they could do to assist Native people across Canada. And he formed an organization here in Toronto. He had been a supervisor at Walter Dieter's Indian residential school. So, they knew each other when Ernie was young and when Walter was a student. They were always friends. So, he phoned him and asked if he could assist me.

So, I went to see him and they hired me. I think I started off, again, as a clerk typist or a secretary. But then they promoted me to be the organizing secretary of a section that they were starting called Ontario—I can't even remember the name of it. It was a fund raising group, Ontario Native's Development Fund, to assist Native communities in Ontario with funds for projects that were not being funded by any group. And I was the lead on that. And so, that was my first job in Ontario.

So, someone had talked to a group, I don't know who, in Windsor about doing a fund raising project. They sent me there and I didn't have the expertise, I guess, or the knowledge that you could ask for your travel advance so I went by bus. [Laughs] I



couldn't pay for a hotel so I went to the local Y. And there was a young girl working at the desk and I befriended her. I always remember her. Her name was Judy Gerard. So, I told her I'm here to scout Windsor because we want to do some fundraising. We became friends. We were eating in the cafeteria. And she was a university student at University of Windsor. She said, "Well, maybe we can help you from the university." In those days, OXFAM was starting to do the walkathons. So we said, "Why don't we do a walkathon?" [Laughs] I remember I stayed in Windsor for at least two weeks developing this idea with Judy and her friends. I was starting to meet many of the university students. I was about the same age as them. And we pulled it off. We actually raised \$60,000.

**AKM:**

That's a lot of money for then.

**DO:**

We actually got the whole community involved. The mayor was involved. There's pictures of me on the front page of the Windsor Star because one of the students' father was the publisher. And then we got an adult committee of leading people because many of the kids had parents who were lawyers or whatever and we had them be on the committee. I'm sure they had to make sure that my organization was, in fact (what's the word that—)

**AKM:**

Aboveboard or—

**DO:**

No, that in fact, they did their due diligence.

**AKM:**

Yes, legitimate.

**DO:**

Yeah. That was the big thing. I remember my name became very well known by someone like George Manuel who was then the president of the National Indian Brotherhood, because it was so unique. So I did that across Ontario. We had walkathons and I usually connected with people that were absolutely unique. By the way, Judy and I remained friends for years after that.

In Ottawa, for instance, I connected somehow with two doctors who had left Saskatchewan during the Medicare furor in Saskatchewan when they first introduced it. And they had come from southern Saskatchewan and the man was on the city council. Ralph was his name. I can't remember his last name. And his wife was also a doctor and they were very strong NDP or Socialists or CCF in those days.

And they helped me. They formed a very good solid committee. And again we were able to raise a lot of money because we got a very good committee from luminaries from the city of Ottawa and a lot of press again. I used to have to do a lot of press. I went to different cities, raised quite a bit of money and we were able to give money across Ontario to Native communities.

One of the other things I did was I, we organized a fund raising concert here in Toronto. And our headliner was Buffy Sainte-Marie. She came and she was so impressed because we filled Convocation Hall. In that one, what I did was I was a member of the Youth Committee of some type at the Native Canadian Centre. And I had many of the youth help me and just blitzed the city. We used to just stand outside at Yonge and Bloor. We'd just go handing out leaflets. We were able to connect with the press and so I did interviews across the city, went to the *Toronto Telegram*, I remember the *Globe and Mail*, the *Toronto Star*. We promoted [the event], that's why we were able to fill Convocation Hall.

So, she was impressed with my work. And in the meantime, she had wanted to start a Native American Centre for the Arts in New York City or someplace in the States and had obtained funding to do the preliminary work. The person she had hired couldn't do it. So, she called me and I went.

In the meantime, my husband at the time was working for CBC so he had brought in his friends among the artists to work with us on the concert and he emceed the show. So, it was really quite exciting, the one at Convocation Hall. So, I worked with her for a few months.

**AKM:**

New York City.

**DO:**

Yeah. I loved New York. And so that's what I did. And then after that I came back and I did different things. And then Johnny was transferred by CBC to Winnipeg. I worked there, again, with a very innovative woman. Her name was Marion Meadmore. And she had, in the meantime, done many innovative things including the fact that she had been on the board of directors and was president of the Winnipeg Indian and Métis

Friendship Centre, it was called. And she got involved very much with the Liberals, eventually parlayed her connections into starting a Native housing [project], Kinew Housing in Winnipeg. It was the first of its kind. Now there's a lot of Native housing corporations. She had befriended Lloyd Axworthy and he had been working with CMHC at the time. They used something in the CMH Act that allowed for a certain type of housing. They were able to use that particular section to obtain funding from government to start a non-profit housing company which is now worth millions of dollars.

In the meantime, just to backtrack, when I was in Saskatchewan they used to have across Canada, it was a big thing in those days, what they called Indian Princess Pageants. And Marion Meadmore was one of the organizers. In fact, that's how I ended up in Montreal in 1967. I was one of the Indian princesses. And she was one of my—not supervisors, they're chaperones. But we befriended each other. So, when I moved to Winnipeg she hired me as her real estate agent. So we spent a year buying houses because she had a budget to buy something like 30 houses that first year. And I was the one getting the commission. But we were bored, bored. We thought we could do something else and so we thought we should try school. And that's when we both went back to school.

**AKM:**

That simple?

**DO:**

Yeah. I mean, it was difficult but it was...

**AKM:**

No, but the idea.

**DO:**

Yeah. We decided, like we were bored with life, we were doing—

**AKM:**

You couldn't see a master plan.

**DO:**

Yeah. And she was absolutely great in sports. We used to do badminton. She had, in the meantime, purchased through that project, the Winnipeg Badminton Club, for Native people to have an inside venue to do sports. We used to play badminton every lunch

hour. And then one time, when we did the summer school (because we thought we'd go back to university by taking one or two classes), we were playing badminton and one of the coaches said you, "You two are very good. Maybe you should try a different sport." And that was squash. So, we started playing squash. And it's through badminton and squash that I really got into school. Marion was so dedicated to studying, I remember. And she would say to me, "We cannot play squash or badminton until we study for three or four hours." And she'd say, "I'll pick you up on Sunday morning and we'll study for three or four hours. Then we'll play badminton or squash."

That's how she got me to focusing to become a student. Then we both applied, after our first year, at university because our marks were both very good, exceptional. I saw in the Department of Anthropology a notice saying Native students interested in Law, there is a Pre-Law program available. And that was the University of Saskatchewan Pre-Law Program. And we went to it.

**AKM:**

Just started, hadn't it?

**DO:**

Yeah, we went to it.

**AKM:**

Both of you?

**DO:**

Yeah. She became the first Aboriginal woman lawyer in Canada. We were in the same year but because, in those days, it used to be 18 months to two years to become a lawyer in Ontario whereas, with her it was combined and they only had the one year. [Marian Meadmore was the first Aboriginal woman] admitted to the Bar. Roberta Jamieson got her law degree ahead of us but she didn't get admitted immediately because she did other stuff before she went back to do her Bar admission.

**AKM:**

So, you saw the notice and that's when you thought well, this seems good, law.

**DO:**

Yeah, yeah.

**AKM:**

And, of course, you'd met some pretty powerful lawyers too and lawyers were doing interesting things.

**DO:**

I didn't even focus on that. I just thought well, with my grades I could either go to graduate school or—and then I saw the notice.

**AKM:**

And that was it.

**DO:**

Yeah.

**AKM:**

What did your husband and family and—

**DO:**

My husband was like my parents. He was very supportive. In fact, that was one of the reasons why I didn't have to work where a lot of people have to work because he was making a good living all through my law school and I was able to concentrate on my studies.

**AKM:**

Yes, that's one of the questions I wanted to ask you, as funding was not, of course, available—

**DO:**

Yes, it was available.

**AKM:**

Was it then available?

**DO:**

Oh yeah, yeah. No, I was Status Indian and post-secondary education was always available. I did get funding. But it wasn't much.

**AKM:**

No. So, how was it? How was the course, the pre-law course?

**DO:**

The law course actually was one of the hardest things in comparison to my earlier life in school. It was so easy before that. What used to be difficult before that was adjusting into just regular life. I found law school very difficult. I sometimes wonder why I didn't give up.

**AKM:**

What was so difficult?

**DO:**

There were certain things that I found of interest and also, I was able to adapt. But there were things like corporate law where I had absolutely no background about any of those concepts. That was like a foreign program for me. We just didn't have any experience in corporate law. Property law also because we come from an environment where there's community, collective holdings. But again, I got some good mentors. One of the best things that happened to me at Osgoode Hall was on the first day of law school when we were having our orientation, we were all sitting in the room and there was another student sitting beside me. And she asked me a question. And because I had gone to the pre-law program or something I was able to answer her. We became friends. And, you know, we're still friends.

**AKM:**

Who is that?

**DO:**

Her name is Laura Bradbury. In fact, I was just out with her at some functions. We went to see Buffy Sainte-Marie entertain at the Phoenix Theatre on Sherbourne [Street, Toronto] just last week. Laura Bradbury. Then we formed a study group with other women. And I still have lunch with those women. That was 1974. We try to have lunch the last Friday of each month.

**AKM:**

That's wonderful.

**DO:**

Isn't it?

**AKM:**

Who are the other women?

**DO:**

The other ones [are] Phyllis Gordon, Kathleen O'Neil, Janet McDougall...Tula Haukioja.

**AKM:**

That's almost 40 years.

**DO:**

I know! And we're still emailing each other for our next lunch.

**AKM:**

So, that study group helped you get through law school.

**DO:**

Yeah, and that was one thing from a social perspective. And Harry LaForme was there too. And we had been at the pre-law program. So we were friends. And then Osgoode, at the time, had a program where we would be assigned certain professors to act as mentors. And my professor was Walter Tarnapolsky. He's now deceased. And he was at one point at the Ontario Court of Appeal. And I remember him telling me, on constitutional law, for instance, he said, "It may help you if, when you're able to choose, that you try to write papers on something that you might have an interest in." He told me about the enquiry that was going on, the oil and gas pipelines with Justice...

**AKM:**

Thomas Berger.

**DO:**

Berger. He told me about it and he said, “There’s some very interesting papers coming out of that” because they’ve retained some people that are really tops in your field from across the world. And one of the [ideas] was the whole concept of the right to self-determination. They had hired two professors from one of the top law schools in London. Because it wasn’t a subject that was being pursued in Canada. But in London it had been pursued because of the whole concept of decolonization in Asia and in Africa. Apparently Thomas Berger and his people hired people from there to write on whether the Dene had the right to self-determination. And it was the first time I had seen that type of work. So that really helped me with law school because once I was able to, I started to select courses where I could. It was very structured in those days but where I could, [I would] write papers in areas that I had interest in.

**AKM:**

Were you getting a sense of your possible life’s work from that point, or no?

**DO:**

No.

**AKM:**

Just get[ting] through law school.

**DO:**

No. Well, they used to tell me, “What do you want to do?” And I’d say “Constitutional law.” I just had no idea and I remember my ex-husband—someone would not show up to their show so they’ll call one of their buddies to come in. I remember he was called by Bruno Gerussi or Peter Gzowski to come and fill in. And they were asking about his private life and he said, “Oh, my wife is going to become a constitutional lawyer.” Well, I must have said that but I had no plan really on how I would do it. The whole constitutional patriation process literally fell into my lap because I had taken an interest in constitutional law in school.

**AKM:**

Amazing.

**DO:**

Yeah.

**AKM:**



About law school, so Harry LaForme was there. Who else Aboriginal?

**DO:**

Just the two of us.

**AKM:**

Was it lonely?

**DO:**

Well, I was married at the time, and so I didn't *live* at the school. We always had nice houses or condos. And, my world was Johnny's world, his acting world. I was doing stuff like going to the award shows, the galas.

**AKM:**

Sounds like fun.

**DO:**

Yeah, and we travelled. But I had a hard time in law school in spite of that. I really had a hard time with my studies.

**AKM:**

You mention about a total lack of interest and so forth in corporate law, property law but were you also thinking, "This isn't for me. This is against my culture, some of these teachings." Was it, was it hard to reconcile yourself?

**DO:**

I think it was hard and maybe that's why Mr. Tarnapolsky saw that, that it would be best if I tried to do something that I could reconcile with. I suspect that was part of it. I just felt like this is so foreign to me. This is just not my world.

**AKM:**

So, you were, so you picked up that interest and you said you were going to be a constitutional lawyer but you had no big plans at that point. But what about the advocacy aspect? Did you feel like that's what you wanted to do is continuing doing that kind of work for Aboriginal peoples?

**DO:**

Oh yes, I think I did. I say I think because again I didn't have time to think long range and do this. My only interest was to pass the next exam, and to get the next paper finished. I really had to work hard. My classes didn't start, for some reason, in some cases till about 11:00 or 12:00. I remember, I used to wake up at 4:00 in the morning because I used to try to spend the evening with my husband just doing family stuff. I used to get up at 4:00 and I would just get out of bed, make my tea and go to the next room and start studying until I left at 10:00 or something. Then I would take Friday night off and Saturdays. Then I would pack two or three meals on Sunday morning and I would go and spend all day at Osgoode Hall, just all day in the library. That was the only way I was able to do it.

**AKM:**

It must have been very hard considering you'd won all the prizes and done so well at school.

**DO:**

Oh yeah, it was very hard.

**AKM:**

And competitive.

**DO:**

Yeah, yeah it was very hard. But I must have been very determined not to fail.

**AKM:**

And so you graduated in...

**DO:**

'77 and called to the Bar in '79.

**AKM:**

Seventy-nine, here in Ontario and then I was called to the Bar in Ontario in, in Saskatchewan in '83.

**AKM:**

Eighty-three, yes. So, what about articling? How did that come about?

**DO:**

Again, I kind of got lucky. I have to knock on wood.

**AKM:**

You've said that a lot already!

**DO:**

Yeah. In retrospect, you know, it was just one thing after another. When I was at the Indian Eskimo Association of Canada, one of their big projects was to produce a book on Native rights in Canada. And they were able to get the money to hire a professor of law who, in turn, hired law students to assist him with the research. And one of the law students was Norman Zlotkin who was at the University of Toronto at the time. And this is when I was still fund raising. So, that's a few years, three or four years before I went to law school. And I had met him there. Then he started working, I guess he took an interest in Native law with the Union of Ontario Indians as one of the lawyers. I became friends with him. He opened a practice here in Ontario, in Toronto, doing criminal and family law. And he's the one I articulated with.

**AKM:**

So, you did some criminal law.

**DO:**

I did, when I articulated with him that full year and then the next year, we went into partnership. So over the two year period I was in Criminal and Family Court almost every week. I remember my first case in articles, the first day of articles, I went to his office to start work and his secretary told me he's had to go on emergency trip to northern Ontario. They were doing an inquiry in northern Ontario on—I can't remember what the subject was. And he had to go. We used to have the old fashioned telephone with the answering machine. And she said, "There's a call on the phone, they've picked up one of the kids [of] one of our clients and he's being detained at Jarvis [Street police station]. You have to go. You're the only one." Because Norman didn't have a partner. My first day, I went. It was awful. It was awful for me but I did it.

There used to be a school called the Wandering Spirits School at the time and it was actually one of the organizers of the Wandering Spirits School that had called because it

was one of their young students who had been detained for whatever. And he said, "We'll take temporary custody. Apply for that. So we'll care for him until we can find a better place to place him."

So, I went into court and I applied. Rosalie Abella was the Family Court Judge. She agreed with me that the principal (I think he was the principal at the time) could take temporary custody. Then when Norman arrived a few days later I was telling him what happened, he said, "You can't do that! You can't do that. The school can't have temporary custody." And I remember saying that to Miss Abella [later judge of the Supreme Court of Canada] now, well she was judge then [too]. And she said, "Well, you know how they [say], the law can be an ass sometimes. Sometimes we have to work with justice," or something like that. She thought it was funny too. But we must have done it the proper way. I can't recall now. [He] must have applied in his private capacity. So it was...

**AKM:**

It was a great start.

**DO:**

Yeah, that was my—oh, it was awful. I just used to be terrified. You know, I would do these things but I would think I have no other choice and nobody else could do it.

**AKM:**

What were you terrified of?

**DO:**

Well, just the idea of going to speak in public in front of the judge. And not know—

**AKM:**

And yet you had a public profile before this, really. Didn't you?

**DO:**

Before that, but the law did really undermine my confidence, really did. Osgoode Hall—the three years I spent there and the Bar admission [course]—really did undermine my confidence, almost like I had to start [over again]. And I recall that my biggest fear was that I would make an error and I would make a fool of myself, you know, making presentations as a lawyer.

**AKM:**

You must have done it too. I'm sure you made an error.

**DO:**

Oh, I'm sure I made an ass of myself too.

**AKM:**

That's interesting. Was it only because of your difficulty with the marks and the subject matter that your confidence was eroded? Or was it other issues as well?

**DO:**

*[Pause]* I was so confident outside law school. Like I say, we were doing very interesting things, my ex-husband and I, at the time, socially. But law school was really—I think it was a clear break from my own safe environment. I felt safe with my ex-husband, [as he] himself was a Native. He was Ojibway. I was in my own culture with him even though we were in the city of Toronto. But over at the law school it was the first time that I had been with people that were completely outside my experience. I think that's what it was. Because even at residential school, I was with Native kids and I could speak my language. So you felt a kinship to the people around you whereas, even though I became good friends with some of the lawyers going into the classrooms, being in these huge rooms where they used the Socratic method of teaching, I just found it terrifying.

**AKM:**

Not a method you'd been exposed to before.

**DO:**

No, no.

**AKM:**

So, in your home you were part of the Aboriginal culture and then in the courtroom it would be sometimes your clients were the Aboriginals.

**DO:**

Yeah. Yes they were.

**AKM:**

But everybody else wouldn't be.

**DO:**

Oh yeah, it was like being in a foreign land even though we used to be the owners of the land. Like, all the institutions are [foreign] and that was one of the [parts of the] whole concept of the right to self-determination that I really, really took to, about how each human being—When you're dealing with human rights, individual rights, human rights is good but collective human rights means that if you have a certain collective that meets a certain definition like territory, people, language, they have a right to their own institutions. For instance, the Quebec people can go into schools that are organized around their own culture. And that's one of the beliefs I've always had about human rights and the right to self-determination.

**AKM:**

I know you wrote about it in the '80s.

**DO:**

Yes.

**AKM:**

About Aboriginal rights to self-identify.

**DO:**

Yeah, and to have the institutions, so that you can flourish, and meet your maximum potential. I think it's improved for a lot of students now because they have programs in law schools, but even then it's not quite to the level it should be.

**AKM:**

Just think how lonely that must have been, just you. There was you and Harry LaForme.

**DO:**

Yes.

**AKM:**

But you were the only woman Aboriginal [student].

**DO:**

Yes.

**AKM:**

So, you made it through. You start to practise. What did you think of family law and criminal law other than the terror?

**DO:**

Overwhelming, because it was never-ending. You would represent one client. Then you would start representing their brother or sister. Family law—I started doing family law with single women who were having problems with the Children's Aid Society because they had no support in the community. And I remember some of them would do stuff like they were just dying to be able to go out on their own and they would think that they could park their children with the Children's Aid for a short period of time, and get the children back. And they couldn't, of course. Then their other children would get into trouble with the law. It was just so overwhelming. There were just so many problems, social, economic, problems really. But it meant that they got in trouble with the system, with the law.

**AKM:**

So, it was hard work because it was so sad.

**DO:**

It was hard work and it was very sad. And it didn't pay well. We were on Legal Aid. It just didn't pay well.

**AKM:**

So, what did you do?

**DO:**

In the meantime, my organization, the Federation of Saskatchewan Indian Nations, kept in contact and when I graduated—Oh yeah, now, in the summers I had gone back to Saskatchewan. After first year, I worked for Norman Zlotkin for one summer doing research in the archives on Aboriginal issues. After the second year, I worked at the National Indian Brotherhood in Ottawa. And after the third year, before I started articles,

for a two month period I worked at the Federation of Saskatchewan Indians in Regina. And one of the assignments I got was to work with my own community on their Primrose Lake Air Weapons Range claim. So, they kept in touch. They knew when I came back to article. And then they offered me a contract to do certain work. I think it was on Primrose Lake. So, that would have been—I got called in '79. Then the patriation process sort of started and, and one of the leaders at the time, Sol Sanderson, was proposing a concept of Indian government. Because at the time, organizations, Native organizations were only recognized as non-profit organizations. They were there as another interest group representing their people. It was, was...

**AKM:**

Not government.

**DO:**

Not government. And he was advocating that. At a certain point he approached me and he says, "I just can't make government understand what it is that I'm trying to sell to them as a concept, the right to Indian government. I need you to help me." And that's when I started getting involved in writing the two of the books that I wrote. [*The First Nations : Indian Government and the Canadian Confederation* (Saskatoon: Federation of Saskatchewan Indians, 1980); *The First nations: Indian Government in the Community of Man* (Regina : Federation of Saskatchewan Indians, 1982)]

Again, I had a good mentor on that. I worked with Kirk Kickingbird who became a professor of law out of Washington, DC. In the United States they were much more used to that concept because of the whole concept of the dependent sovereign nations which had been recognized by the law right from the 19<sup>th</sup> century. The whole concept of Indian nationhood was never [forgotten]—even though there were a lot of problems—[it] just continued, historically, right to the present in United States. It wasn't here. It wasn't here. It wasn't until the '80s and '90s that it started to come alive again. So anyway, that's when I got retained by them.

I remember telling Norman I was going to Saskatchewan for the summer after we had been in private practice. Well, the first year was me as an article and then as a partner. The next year [I went] after my first year, after having done family and criminal for the two years. So I took the contract and I ended up staying there for five years. There were a lot of personal reasons for that. But that was one of the things I did.

**AKM:**

So, this is...

**DO:**



Eighty to eighty-five.

**AKM:**

Eighty to eighty-five, okay. Your marriage was over at that point or by the end of it?

**DO:**

Yeah.

**AKM:**

So, where were you actually living at that point?

**DO:**

Saskatoon.

**AKM:**

And was it all Band work or all that you were the lawyer for the Federation only...

**DO:**

Yeah, yeah it was a major project.

**AKM:**

And was it all related to Primrose Lake at that point?

**DO:**

Oh no, no. I didn't really do much work on Primrose Lake except for that one summer.

**DO:**

After I got admitted, I worked as a legal researcher, and advocating on their behalf until I got admitted to the Bar in Saskatchewan. Then I became their general counsel. And I did, oh my God, all kinds—

**AKM:**

Yes, what do you do?

**DO:**

General counsel [to the Federation] is like being a general counsel in any corporation. There's a lot of employer-employee matters. We drafted so many internal procedural documents including the reorganization of the Federation. It became, from the Federation of Saskatchewan Indians Inc., to the Federation of Saskatchewan Indian Nations. And we had to get sixty-nine First Nations on side through a convention. So, we had to meet with them constantly for a year. And then patriation of the constitution was happening and we were lobbying in England against the patriation without adequate recognition of Aboriginal and treaty rights. Then I got seconded to the Assembly of First Nations. I think it was right after the Constitution. There had been a provision in the Constitution saying that there would be a constitutional conference on Aboriginal matters to identify and define Aboriginal treaty rights. So, I got seconded and I was there almost full time for about two years.

**AKM:**

What a very exciting period.

**DO:**

It was very exciting. I was part of the working group, prior to the two conferences with the premiers. But in between, there was working groups and we met across Canada, the people from government, the provinces and the feds. And those of us from your Aboriginal organizations to try and work out something that the premiers and the prime minister could agree to at the one conference or the two conferences, it was a lot of work in between.

**AKM:**

So, had you lost your terror?

**DO:**

Of speaking? I guess so because I continued speaking all through.

**AKM:**

And so, was that the last time that you did family court and criminal work?

**DO:**

Well, not quite. No, I continued occasionally because sometimes you get pressed into it by family or friends when you can't find anyone else. Like, I did the wrongful death case of Dudley George who eventually...

**AKM:**

Of course. I wanted to ask all about that. Wow.

[Discussion of ending this interview and agreeing to meet for another session, not transcribed]

**AKM:**

It's 1982 and you're in Saskatchewan. So now, you have a different picture of your life's work? Or did you get a picture at that point?

**DO:**

I never, I still don't really have—

**AKM:**

You still don't, okay. Then I won't ask you that one anymore!

**DO:**

No, I've never been able to—like, things happen. Then in 1984, there was the election and Brian Mulroney came on the scene. I have a friend, her name is Ann Noonan, who was very good friends with the McMurtry family here in Toronto, Bill and Roy and the other brothers. So she introduced Bill McMurtry, or she introduced the National Chief to Bill McMurtry, thinking that it was important for the Assembly of First Nations to be connected to people who knew Brian Mulroney. And that was Bill McMurtry. So, Bill was retained by the Assembly of First Nations, and that's how we met him.

**AKM:**

Amazing.

**DO:**

Yeah. And then, Allan Pratt, we got along. We worked together at the national scene. I started working for him in 1985. I came back to Ontario and I was there for five years at Blaney McMurtry.

**AKM:**

And what were you doing then?

**DO:**

Mostly, land claims. We did a lot of land claims across the country.

**AKM:**

So, you've been travelling all this time everywhere.

**DO:**

Yes.

**AKM:**

All right. Perhaps we should stop here...

**DO:**

Yes.

**AKM:**

Delia, thank you.

Second Interview: November 26, 2012

**AKM:**

I am meeting for the second time with Delia Opekokew, in her office at 160 John Street in Toronto. Today is November 26, 2012, and my name is AKM, and I am here, on behalf of The Law Society for the "Diversifying the Bar: Lawyers Make History" project. It's nice to see you again.

**DO:**

Yes, it is.

**AKM:**

Good morning, Delia.

**DO:**

Good morning,

**AKM:**

I'd like to begin where we left off, which was with the 1980s. Here you are, working with on Bay Street with Blaney, McMurtry and Stapells.

**DO:**

It was 1985 to 1990.

**AKM:**

Right. What work were you doing in that period?

**DO:**

In that period, I was—well, first of all, I carried over my clients, so I brought clients in, including the Federation of Saskatchewan Indian Nations out of Saskatchewan. I had, I think, about two or three major clients that I was able to bring in to the firm. In the firm Bill McMurtry was the one that had hired me, and through his work at the Assembly of First Nations brought in a First Nation, out of Alberta, who had a land claim but it was very contentious, in that—to try to describe it in a few words, it was what you called “The Treaty Land Entitlement Case,” which meant that when they signed the treaty, in this case in 1899, they were promised a certain amount of land for each family of five or whatever other calculation was used. Well, those reserves were not fully set aside. When the surveys were done, they just didn't complete reverting the lands for the people into reserves, and so they remained outstanding. At a certain point, First Nations actually led by the Saskatchewan First Nations in the 70's, having done their research, realized that there was land that was outstanding under their treaties. The policy had evolved that if negotiations were completed, and they had settled the matter, the lands that the First Nations could select for their first choice would be from Crown lands. And in this case they were in the middle of their selection process, so they hadn't really fully selected the lands but the Alberta government was going to be tendering for leases and licences for oil and gas development on Crown lands. And the First Nations wanted to put a stop to it, until they had selected their lands. So, they retained us, they retained the firm, and I was one of the lawyers assigned. There were two of us assigned to it. I remember travelling to Alberta quite a few times with Bill McMurtry, and then he turned over to a senior litigator (Bob Potts was his name, and he's still alive) and myself, and we took the injunction against the government of Alberta. It was very exciting. It was—injunctions are highly highly stressful. They tend to be very, very much in the news,

because they usually involve very serious resource or land issues that affect everyone in that region. And so, we took the injunction. (I remember, some of the oil companies coming around but I can't remember what they did.)

So, in any case the Alberta government retained a law firm and one of the lawyers was a young man by the name of Jim Prentice. He became the minister of Indian Affairs eventually, but he was just young at that time. That was in the mid eighties, about 1986. In any case, it was really high stakes. We worked very hard. The pleadings that we had to develop were very complicated. We got a call on the Sunday night before the court date where the government was willing to negotiate, and I think the negotiations went all night. In the morning, we were able to appear to advise the judge that we had reached an agreement that we would negotiate. But it was court-supervised, and when it's court-supervised, it really makes things much easier, where we had to report to the court every so often on the status of the negotiations. We negotiated for two years and they were able to get their land. That type of negotiations, you could be very adversarial with each other, but when you are stuck in the room with each other day after day, month after month, you either hate each other or you become friends, and we became very close, all of us in that team, both from the Alberta government team, and also First Nations, and ourselves. So, that was the first big case we did when I was at a Blaney McMurtry.

But before that I had done another land claim case. That one, I was retained on my own here in Ontario. When it settled, it was the first land claim case that had been settled in Ontario for quite a period of time, and I didn't realize the importance of it. And so, the primary work, because we were able to "win" that injunction (and I put that in quotations, because we did not have to go to court, we were able to negotiate, but we had to threaten the court action before we were able to get into that position of strength). We had a reputation. So, other First Nations started to hire us. And I know that Bob Potts is still doing land claims. That's like, almost 25 years, 26 years down the road. And so we did quite a few land claims cases. So, that was the primary work that I did in the firm.

And aside from that, Bill McMurtry had quite a bit of connections across the country, and this was just before the Calgary Olympics. I remember, a businessman wanted to put up advertisements during the Calgary Olympics on the highway going between Calgary and Banff. Of course, there's real restrictions on how far you can put the signs from the highway, provincial restrictions. First Nations along the way that were next to the highways retained me, and I advised them that they could oust—and I mean "oust," the legal term—provincial jurisdiction, if they develop their own band bylaw. And I think I drafted the bylaw for one of the First Nations, we entered into a joint venture of some type, and they were able to have the bylaw. It was passed, and it was approved by the federal government (because First Nations bands are under the jurisdictions of governments), so governments approved it, and so they were able to put up the signs closer to what the province would have allowed. I can't remember what they were

selling, what kind of signs they were, I never did see them. So, that was one of my cases.

Another case that was fairly major was—Bill McMurtry was good friends with Jim Gray, I think that was his name, with Canadian Hunter [Exploration Ltd.] (I think that it has since been sold to another oil and gas company.) They were doing R & D, research and development, on a reserve, looking for oil in southwest Saskatchewan. The Indian oil and gas regulations are separate. They're a separate entity of their own. There is an office in Calgary that administers them, and all oil and gas companies, resource companies, have to go through them in order for them to be able to work on the reserves. Now, in this case, the First Nations said that they didn't want to get into the usual kind of a situation where they would receive royalties if there was oil or gas discovered and that would be it. They wanted to be in the business end of it. They wanted to be in a joint venture, and so, I worked with the law firm, I think it was Bennett Jones, a major firm out of Calgary, to assist the corporation to enter into those negotiations, and I gave the opinion, as to how to do it properly within the context of the Indian oil and gas regulations. And I didn't realize how major it was, to be honest with you, until we got a letter, Bill McMurtry got a letter from Jim Gray, and he said that I really helped with the negotiations. [It said,] "Without your opinion we would not have not known how to go about it." Then I was reading the Globe and Mail "Report to Business" one day and I saw an article saying that it was the first of its kind. And again, I didn't know the importance. I just stayed in my office like I'm doing now which is what I do. I do research. I think through something, and I give out a legal opinion. And if people follow it, sometimes it will work very well. I guess what I'm saying is that most of the work I did was of an institutional nature. And by that I mean, because of the fees that we were charging, most individuals, you know, just couldn't afford it. So, it was mostly corporations, First Nations, there were a number of groups like that. I represented quite a few organizations in the city, Canadian Native Centre of Toronto, the Two Spirited People, they had an organization, there were a number of groups like that that I represented at the time.

**AKM:**

Sounds like a very creative period for you, and for law relating to First Nations peoples.

**DO:**

Yeah. I remember Bill McMurtry, when there was a slow period, I would start doing research on some innovative issue, and he was happy that I got published, because I got published in some legal journals. So I haven't been able to publish since. I was able to publish when I worked for the Federation of Saskatchewan Indian Nations, because I was on salary. And I guess I was able to do that when I was at Blaney McMurtry because of Bill, because he gave me that support. And again, I was an employee. I was

on full-time salary, I was an associate. Since I left there in 1990, I haven't published because I have been on my own, and you just don't have that kind of...

**AKM:**

Time.

**DO:**

Time, well, it's not so much the time. You can find the time quite easily. But if you don't, if you are not on an income, you have to always be looking for...

**AKM:**

You don't have the luxury of...

**DO:**

You just don't have the luxury. You have to look for clients who are paying you, and they are not going to pay for your research [Laughs].

**AKM:**

No. So that was a lucrative time in your career?

**DO:**

It was a very innovative time. It was innovative also, in the sense that—I love the theatre, I love the arts. And I recall Tomson Highway had just founded the Native Earth Performing Arts. And he had written his first play, "The Rez Sisters," and I went to see it. They were at the Native Canadian Centre of Toronto, and I was so impressed with it. It hadn't been reviewed yet, but I was just so impressed. So, I told Bill McMurtry about it. He went to see it, and he just loved it, and then he started to just pressure his friends, from all walks of life, to go and see it. And I just did everything I could to help them. I remember I was sitting on the board of directors at that point, with Murray Koffler from the Canadian Council for Native Business. He had established the corporation, an organization for successful business people to assist Native enterprise, entrepreneurial activities, and I was on the board. And Edward Bronfman was also on the board. They did well. Tomson Highway did so well on "Rez Sisters." He was so happy with my work that he acknowledged me in the published book itself. (I have it someplace here). I remember approaching Edward Bronfman saying that the Native Earth theatre was going to take their play across the country, because he had also gone to see it. Somehow I had influenced him to go and see it. I said, "I would like to get some money, they need \$10,000 dollars for the poster," and he gave some money, and another



woman by the name of Kaida Shadden also gave some money, so that they were able to have the poster. I remembered another incident when Tomson Highway phoned me, they were having a writers' festival, and they needed white regular bond paper. And at that time—they probably still do—the Canadian Bar Association, when you were a member, used to give you a little Day-Timer for your appointment books. And it was produced by Xerox. And I was thinking “How am I going to, [Allison laughs], get paper for them. I opened the book. They had a phone number there, Xerox. So I just phoned, cold call [chuckles], and by the end of the day they had a truckload of paper.

**AKM:**

Amazing.

**DO:**

So, I was able to use my connections. I'm sure, because I was a lawyer and I said that I was from Blaney McMurtry that they realized that I was serious, like even a cold call like that.

And so, when Tomson Highway wrote his next play, “Dry Lips Outghta Move to Kapuskasing,” he named one of the characters after me [Allison chuckles], and he also named the woman's hockey team after my First Nation [Allison chuckles], Canoe Lake Lakers, and I am one of the team members. And I remember Graham Greene, the actor, played a part, and he had to be the one to say the woman's names, the players' names and they had to say my name, and the rest of the names that were real actually, because he was honoring different people, on stage [Allison chuckles], because they played it at the Royal Alex and then they had it at The National Arts Centre in Ottawa. I remember my MP saying how proud he was to hear my name [Laughs].

**AKM:**

That's wonderful.

**DO:**

Yeah. But it was really hard work, really, really hard work...

**AKM:**

You were in your, what, thirties?

**DO:**

Yeah. It was really, really hard work. I, remember, I didn't have much of a life, because I would go to work at about eight, and I wouldn't leave until about eight or so, just to maintain my billable hours.

And bless Bill [McMurtry] [chuckles], they wanted to expand back in 1990. At that point, I was part of the litigation team even though I wasn't doing much litigation, except for drafting documents, writing. I was actually going out in court but I was supporting. They decided that they would establish an Aboriginal legal team. It required a lot of administration. And I remember when they made that decision, I had to do a lot of the work, and that's when I made a decision to leave, when it was at its most successful [point]. Because I couldn't live that life of working constantly.

**AKM:**

No.

**DO:**

I just couldn't.

**AKM:**

Were you married at this point?

**DO:**

No, no. I had been involved in a serious relationship but I had broken up with that.

**AKM:**

So you went on your own?

**DO:**

I went on my own, and since then, I've been on my own since 1990. I brought, again, some of the clients that I had had at Blaney McMurtry that had followed me there, followed me so I was able to maintain a practice immediately.

**AKM:**

Was it mostly organizations, and other institutional clients too?

**DO:**

Yes, yes. And that's what you have to have in order to,...

**AKM:**

Make a living.

**DO:**

To make a living. You can represent individuals, if you're a small time lawyer. But, unless you have organizations also, it's very difficult.

**AKM:**

Does that mean a constant tug in your practice?

**DO:**

Yeah, yes. So, since then, I've been doing the same kind of practice as I'm doing, I mean, different things.

**AKM:**

And mostly working out of Toronto?

**DO:**

Well, I was here from until 1998, for eight years.

**AKM:**

Okay, right.

**DO:**

1998 was when my practice started to fall apart because of Ipperwash, the George family case.

**AKM:**

Yes. I wanted to ask you [about that]. Let's go back to 1992, and you were on your own, and this is 1992 and 1993 when you went to Canoe Lake, and you were involved then, in the Indian land claims...[discussion of what topics had been covered in previous session] What I want to know about that period is, how did it feel to be there as a daughter of Canoe Lake Cree Nation, and now representing them?

**DO:**

[Pause] I think I felt duty bound. It was very difficult and it's—when you almost are forced to do something you feel duty bound [chuckles], that's what it is, but then you realize that you have to do it because that's your family. I continued to work with them off and on, through the Federation of Saskatchewan Indian Nations. But to be in a client-solicitor relationship, where it was formal, [them] retaining me—actually, we did that when I was at Blaney with McMurtry.

**AKM:**

Okay.

**DO:**

And I remember Bill saying that I could do it because I knew that weren't going to pay well.

And so he sort of allowed me to carry them for a while. But, when I came out, when I left there in 1990, this was 1990, Oka. And out of Oka, Mulroney established the Indian Claims Commission, and the Royal Commission on Aboriginal Peoples, two major issues. The Indian Claims Commission was established to look at cases like ours, that had been rejected by the government. It was almost like an appeal for us. And so, we were the first ones. I was able to start maneuvering immediately, because the Chief at that point, Frank Iron, and I think the band manager was Guy Lariviere, they were at a stage where they understood the meaning of retaining a lawyer—that you had to pay them, if they were going to do the work that you want them to do. And so we were able to really move it, once we got into a formal business relationship. Before that, when I was at Blaney McMurtry, even though they had retained me, I was doing it for free, which meant it was not my priority. Once they started paying me—and also, it worked out because the Indian Claims Commission had just been established, and the First Commissioner was Harry Laforme...

**AKM:**

Whom you'd gone to school with.

**DO:**

Whom I'd gone to school with. Another commissioner was Jim Prentice. [both chuckle]. [The third member of the panel was Daniel Bellegarde.]

**AKM:**

Yes.

**DO:**

By this point, he had become quite an expert on Aboriginal [matters]. And so, I advised my First Nation about this new Indian Claims Commission and advised them that we should apply. And we immediately applied. It turned out we were the first ones off the mark. And so, again, it was very complicated, a lot of documents that we had to do so much research, lots of research.

**AKM:**

Did you learn a lot about things that you didn't know about, about your own home?

**DO:**

From the government side. Because once you do that, there's production of documents, tons of documents, like...of what happened, there was a lot of documents that were produced. Then, we proceeded to a hearing, which was held on the reserve. It was a major, major to-do, in the sense that the reserve had never seen anything like that, where there was simultaneous translation. The equipment was there to do all of that. It was a formal hearing. The elders that were affected directly, that were the witnesses, the living witnesses, got to speak and talk about what life was like before and after the establishment of the bombing range. There I was—I actually did litigate. I started to come on my own and I had another person that assisted me but I was the lead lawyer. So, I had to do the submissions and arguments...

Because it's like a court.

**AKM:**

Yes. I read that there were some Opekokews, actually, among the people who gave the testimony.

**DO:**

Yeah, yeah, yeah. So then it was very nerve-wracking. We finally got a decision, and it was—they agreed that the government should have accepted our claim for negotiations. They had no binding powers. They could only recommend. So the next step was the recommendation, I had to go before the Minister of Indian Affairs, who, in turn would recommend to cabinet, that it be accepted. Well, to reach that stage—I remember talking to the Minister at one point, saying it was very difficult for him. He was only one cabinet minister among a bunch of them, and in order for him to do it, he had to do a lot

of lobbying internally. In any case, it took about a year for him to finally make that recommendation. But, within that year, I had met (and I can't remember his name) a gentlemen who invited me out for lunch, at the Armories, at the Arts & Letters Club, that one that's one University and Elm. I can't remember his name. He was in the army reserves, and he was he had his own business, a lobby, he was a lobbyist. I can't even remember the name of the company.

But some of the people he had on staff were former generals from the National Defence. He had one staff member, he had been on staff with the Prime Minister's office when Pierre Elliott Trudeau was there, had also worked with the Minister of National Defence. Keep in mind the Cold Lake Area weapons claim is part of the National Defence.

**AKM:**

Yes.

**DO:**

So somehow, I had connected with him. He had phoned me out of the blue wanting to link up because he had apparently met me, which I didn't recall, when I was married to my husband, who used to be appointed to different groups by the Government of Canada. And one of the groups had to do with something [called the] mid-Canada corridor. And in that group was [Major-General (Retired)] Richard Rohmer. This person that I met was one of the staff members at the time, and 20 years down the road he called me. In any case, I retained him, to help us with the lobby. And I remember we went to Ottawa, my Chief and I, and the Cold Lake First Nation was also part of that land claim, because they had been affected similarly. I don't know if they came. I think it was just us, because we had to pay for their services.

And he took us, from one of the Minister of National Defence key people, like he told us, when you do this type of major lobby, you don't just lobby with the Minister of Indian Affairs. There is a cabinet committee on whatever it is, made up of something like five ministers, that make the final determination regarding certain types of money, and that's where we thought that the budget would be there for a land claim. He had dug out all of that information. So he took us through to meet either directly with or with the assistants of these different ministers, and we lobbied. But, in the meantime before that, I had been getting a lot of calls from the press asking me, "What's the status of your claim?" And I would say, "The government is the one to make a decision, on whether our claim is accepted. If you really want to know, why don't you phone so and so?" and I had names of—my understanding for instance, where our claim was being blocked was the justice lawyers refused to approve, because justice has to make a decision whether they felt that the government had an outstanding lawful obligation. They refused, so Allan Rock was the minister [of justice] at the time. And I would refer them to his office

and I had the name of his different assistants and their phone numbers. I remember one of them saying after, "I've never seen anyone lobby so hard," is what they said. But anyway, we did this lobby, and we ran into Ron Irwin, who was the minister [of Indian Affairs and Northern Development] at the time, and that's when he thanked us. He said, "Thank you for recognizing that I'm not the only one with the power, that I really have to pressure in order to do this, to have your claim recognized. You're the first group that have recognized that you also have to assist me to do it from the outside." He was talking about us at the time. And I remember someone saying, "This used to happen a lot in the seventies, when the Indians really lobbied." He said, "I can remember Harold Cardinal being in the rotunda" [in the House of Commons where press scrums take place]. And that's where people who go and hang out, and just really pressure, in the seventies. Apparently, they don't do that now. I guess everything is just so organized. In any case, the end result is that we did a lot of lobbying. We used a lot of our resources and we finally got recognized.

**AKM:**

It's interesting, the way you put it. In order to have a successful land claim, you have to bring everybody to the table, educate everybody.

**DO:** ]

Yes, you do.

**AKM:**

And that's been part of your job.

**DO:**

That's been part of my job. And so, it was quite an incredible experience going through that.

**AKM:**

It sounds it.

**DO:**

Yeah.

**AKM:**

And then, you're in private practice now, and then Dudley George is shot.

**DO:**

Well, before that, I was one of the commissioners appointed to the inquiry of the wrongful death of Leo LaChance, who was shot to death by a person who was allegedly a white supremacist, Carney Nerland. When this happened, the Aboriginal people were just absolutely angry, because the fact that that Mr. Nerland may have been done it for racist [reasons] or hatred—none of that was raised when he was going through the administrative justice system, and he was quickly found guilty, because I think he pled guilty, it might have been the plea bargaining, and he only got a three year sentence. Oh my God, there was a huge cry over the fact that none of different sections of the administration of justice system ever raised the fact that it may have been a crime of hate. We found out later in the inquiry, that, in fact, he had been cited in a Supreme Court of Justice case, about being a member of one of the groups that incite hatred. So the information publicly was available, even before we went on to do the inquiry. But anyway, I was appointed one of the commissioners, along with Ted Hughes, and Peter MacKinnon of Saskatchewan, who became the president of the University of Saskatchewan, and Ted Hughes is a former Queen's bench judge, and he was the one that was conflict of interest commissioner in B.C. when Bill Vander Zalm came down. He did the APEC inquiry he was appointed to that. He's now close to 85 and he's still functioning.

**AKM:**

Great.

**DO:**

Yeah. So we did that. That was major. I remember being scrummed. I've never been scrummed like that before, because it was such a major, major news story of the day.

**AKM:**

And you had a different role in that, too.

**DO:**

I was a commissioner.

**AKM:**

Yes. Was that, a shifting of gears for you?



**DO:**

To become neutral?

**AKM:**

Yes.

**DO:**

Yeah, sort of. Mind you, it was one of those things that all the parties had to agree to our appointments, and I guess they wanted an Aboriginal person on the team. But apparently, Ted Hughes said “I want to make sure that whoever is there, is capable.” In any case, I guess he thought I was. So, I was appointed. So, that brought me a lot of attention. And so, the year after, I decided to run for the Assembly of First Nations.

**AKM:**

Yes.

**DO:**

That’s the t-shirt worn by the campaign team in 1994.

**AKM:**

The first woman to attempt it.

**DO:**

Yeah, the first woman to run for National Chief.

**AKM:**

But why did you decide to run?

**DO:**

I had gone to a conference in Ottawa, and—let me just backtrack.

**AKM:**

Sure.

**DO:**

In the eighties, I think I mentioned that I had been on the working group, during the constitutional negotiations.

**AKM:**

Yes.

**DO:**

And most of those negotiations failed. And the money that was spent was incredible, incredible, incredible. And I became like Jean Chretien by the time 1994 came along, that I thought we were wasting a lot of time on constitutional issues, when there was so many problems in the communities that remained unresolved. The poverty. I became very interested in the whole question of sexual abuse at the time, the abuse that was...

**AKM:**

Domestic abuse, as well as sexual...

**DO:**

Domestic abuse, incest...

The suffering that people were having, and I was involved in these high-stakes constitutions to recognize treaty and aboriginal rights. I thought that was important, but I thought it was important to concentrate on very basic bread and butter issues to try to improve the quality of life in the community. I certainly didn't see much of an improvement for people as a result of the constitutional discussions.

**AKM:**

And all this money, as you said.

**DO:**

Yeah, and this money that was spent. Now, so, I went to a conference, the AFN Conference, and I was so shocked that they were still dealing with issues that I don't think were important to First Nations communities. And I remember, I came back, and I was on a treadmill, and I was exercising, and thinking, I'm going to run. And I did. I started phoning chiefs across the country and asked them, "Do you think it's worth my while to run?" and quite a few of them said "Yes," and I ran. I didn't do well. I think I got more signing my nomination papers than I actually [Both laugh]—I didn't do well in

terms of the ballot box. I did exceptionally well in terms, of bringing a name for myself so to speak. I remember there was a one hour special done by CBC about my campaign itself. I guess it covered the AFN, but it focused on me.

And I think my campaign backfired, in the sense that my own First Nation really helped, and it was in Saskatoon, and we had a campaign that was very attractive to the media. But I think First Nations tend to be very collective, in the sense that they don't really, really, approve of many things that are individual-oriented, like a lot of attention, a lot of hoopla. And I think that backfired for me.

**AKM:**

A certain disapproval?

**DO:**

Yeah, yeah. I was breaching so many cultural lines.

But I did get a lot of—I remember the Attorney General of Saskatchewan calling me, after, and asking me, “If you decide to move to Saskatchewan, we’d like you to apply to become a judge.” I met with one of the deputy ministers, I will not say which one. He offered me a senior position in government. I remember telling him that kind of position would require someone who is a team player, a group person that’s used to working in management. And I’m not that. I’m individualistic. I’m very individualistic. I think that would be such a wrong fit. I had a book offer from Louise Dennys. Now, I can’t remember which company she was with, Knopf or Random House. We finished the book. But I rejected it, because the author had a breakdown of some kind and I just didn’t think that it was up to a level, and the publishers agreed with me and rejected it too. But, part of the reason, too, was that the kind of story they wanted to tell, was about my interesting life. The publicist had sold my book on the idea that I was the Forrest Gump of the Aboriginal world [Allison laughs]. In other words, I was in all of the major things that were happening across the country [Allison chuckles] as things developed since the sixties.

**AKM:**

Waldo was here.

**DO:**

Yeah. They wanted me to talk about, the more human side of it, and so many people were, are still alive, even now. And they were very uncomfortable about me talking about the behind the scenes stories. And I didn’t want to push it. My family was also uncomfortable with it. And so,...

**AKM:**

So where's the book now?

**DO:**

You know, I don't know—it was the nineties and I moved so often. I don't know what I did with it. We had a Canada Council grant for it. I may try to contact Canada Council and see if they have a copy. And I was thinking of even contacting the publisher if they have a copy.

I tried contacting the publicist. She never got back at me, because she was very angry about it all. She was angry with me too and I don't blame her. So, I got a lot of interesting things. But I came back to the same kind of practice.

**AKM:**

What about the judgeship? Not interested in being a judge?

**DO:**

I've had two offers. The first one, I would have had to move to Northern Ontario, and at the time, my father was still alive. That was 1990. He died in 1994. He was still alive, but we knew he was not doing well, and my niece had just been born. She's now about 22 now and I remember asking myself the question, "Do I want to be a judge when I'm 77, or do I want to be able to say, that I continued to know my family well, I continued to spend a lot of time with my father in his dying years. And I chose family. But I suspect also, I knew that I wouldn't fit in the discipline. It's not the discipline. It's just that I'm very individualistic, and I tend not to fit into structure. I knew that being a judge would require me having to be in a structure.

**AKM:**

It's interesting that you say that, and yet, who your clients are, are structured, organizations that you have to pull along.

**DO:**

Yeah, yeah. But, on the other hand, I don't have to work with them on a day to day basis.

**AKM:**

True.

**DO:**

I have my own environment that I've created. I have my own office, my own staff. I don't have to report to anyone, except when I do report to the clients. But in the context of the day to day basis...

**AKM:**

And they're time-limited relationships.

**DO:**

Yeah. They're very time limited. And...

**AKM:**

That's interesting.

**DO:**

Yes. And I did get to know my father before, well, I spent a lot of time with him, I knew him well before. I remember taking him to have some of his specialist examinations and interpreting for him. I thought that was very important. That would happen during a weekday. I wouldn't have been able to take that time off, being in Northern Ontario.

**AKM:**

Who would have done that if you had not been able to?

**DO:**

Oh, I have a lot of brothers and sisters, but, but...

**AKM:**

Who could have.

**DO:**

But, it's like with my...

**AKM:**

It was special for you.

**DO:**

Yeah, but it's like with my mother. I was able to go and spend hours with her this summer. I was able to get hearings in Saskatchewan, so that I could spend huge chunks of time with her, four hours, five hours, at the hospital, both in September and October, and she died at the end of October. And she still had full capacity right to the end. She sang a lullaby to her grandchild, who is seven years old, because my sister brought her. She's got custody of one of my brother's sons. And my mother was able to sing a lullaby to him, the day before she died.

**AKM:**

Priceless use of time.

**DO:**

Yeah, yeah.

**AKM:**

So, this is again, partly in reaction to your practice on Bay Street, and rejection of that life, and more independence for yourself in private practice.

**DO:**

Yes.

**AKM:**

Okay. So, Leo LaChance, and then the run for leadership...

**DO:**

Yes.

**AKM:**

That's '94, was it?

**DO:**

Yes.

**AKM:**

And then, '95 is Dudley George's death, shooting death.

**DO:**

Yes. Well, I knew some of the family members, and one of them approached me and asked if I could meet with Sam George and his family. Sam George was the brother of Dudley George because they were looking for a lawyer to take the case. And I said no. I said, "I'm on my own. It's going to be very complicated. I just don't have the experience in in that area of law, like wrongful death".

Mind you, I had done the inquiry with...

**AKM:**

Yes. LaChance.

**DO:**

La Chance. But in terms of the actual representation as a lawyer, I said, "No." But, finally, in January 1996 (he had died in September 1995, so this is about three or four months down the road) they just were desperate to find someone and nobody would represent them. What I heard after is that they approached many lawyers. The lawyer that was representing them was in London, and he resigned, because he said his receptionist was married to or dating an OPP officer and he would be in a conflict. Other lawyers refused to take it because, as my understanding is, that it would be against the government. It would be against all kinds of institutions, and people just did not want to get into that kind of a situation.

I was in this office, actually, but we were in the second floor at the time. I was renting space from the law firm that had this office on John Street. I remember our board room was on the second floor. I remember meeting with the family there. I realized that if I didn't take it—because they told me that their lawyer had told them, "You only have two months left to file a wrongful death suit, because you have a six month limitation period, and this is like the fourth month." That was January. And I realized, if I didn't take it, and if they couldn't find anyone, they would lose their chance, because I realized, at the time, that at the heart of their issue, was "Why did our brother die?" In order to find out why their brother died, there had to be a formal something, like a formal inquest, a formal inquiry, or a court action. So, I remember starting out by suggesting that we try and have an inquest (and I had no experience), going into the Great Library at Osgoode Hall, when I was trying to draft a statement of claim when I was doing the pleadings. I

went to the Library to research, and the first paragraph was, “To do the pleadings, you have to get the facts. To get the facts, you have to study the documents in the inquest [Chuckles]. Of course they had no inquest.”

**AKM:**

No inquest.

**DO:**

So, I started writing, I have, those letters. I started writing to the different coroners, the Chief Coroner here in Toronto, and the regional coroner asking for an inquest, and they all looked at me saying, “We can’t have an inquest until all outstanding criminal charges are dealt with.” And there had been a lot of criminal charges as a result of that night of shooting. Because at the time, it was all over the [papers] that the Indians had guns.

So, a lot of the Indians were charged. I remember doing that, just trying to get an inquest. That was my first step, because once I realized that in order to do a pleading, I had to I had to get the facts, and the only public information was from the government police side. There was not much from the Indian side. So there was no balanced information out in the public eye. I remember, one of the lawyers that used to practise here, he’s no longer here, had done a wrongful death case. And I approached him and I says, “Can I get a copy of your wrongful death suit?” And he says “No” [Chuckles]. He told me, “No.”

**AKM:**

No?

**DO:**

Yeah. And I said “Well, I really need help. I don’t have any background in this.” So, he told me, “Well, there’s a young lawyer here that is really interested in Aboriginal issues. Maybe you can talk to him.” That was Murray Klippenstein. He was just starting out at the time. And I sat here. I did the usual thing, which is, I thought, “How am I going to resolve this?” I made contact with someone whose name I will not say, which someone that I used to know a lawyer, and I said, “How am I going to draft a statement of claim when I don’t have any precedents? I can’t find any,” and he said “I’ll help you, but you can never tell anyone.” Anyway, he had connections, and he said, “The best one I’ve seen is from ‘so and so’ in Windsor.” There had been a killing, a wrongful death killing there. The OPP had gone into the wrong farmyard, and had shot to death the person there, thinking that he was part of this—whatever they were thinking.



And so anyway, I phoned that lawyer. I've never met him. One of the first things he told me was, "Don't take it because it'll destroy your practice, it'll destroy your health. I had a heart attack over mine," he says. "They are the most difficult things to do." But...

**AKM:**

You felt bound by duty at this point.

**DO:**

Yes. But he said, "But I will help you if you want to proceed." So he mailed me, I think in those days, he faxed me all the information. And that really helped. But we still didn't have the facts, and by this point, I had convinced the family to retain Murray [Klippenstein]. So Murray said, "You're going to have to do it. You're going to have to go down there." And I was really scared. At the time, I used to have this secretary who was an actress. She's still an actress, but being a Canadian artist, of course, there was very little income [Allison chuckles] out of being that. But she loved to type. So she used to work for me. That was my assistant at the time. She used to work for me when we were on the second floor. And so I told her, "You're going to have to come with me, help me drive to go to the army base where the Warriors were, because I have to go and interview them." So we did. We went.

**AKM:**

Scary?

**DO:**

It was very scary. They were tall and very angry. They were very, very angry. I went with Sam George, and Pam, and I. Tall and huge. I remember the army base started to buzz, saying "Susie Muskrat is here! Susie Muskrat is here!" [Allison chuckles]. At the time, *North of 60*, the TV series, was really popular among the First Nation, the Aboriginal communities. And we went on a Monday, and that Saturday, it just so happened, my assistant Pam Matthews, had been in that episode and she was the guest star. That meant that she had a large part and her [character's] name was "Susie Muskrat" [Laughs]. She was beautiful! So [Both chuckle], anyway, the end result is that we did get the story, but part of it was because of our entrée.

**AKM:**

[Laughs]. Luck seems to play a part, doesn't it?

**DO:**

Yes. And, I guess they were fascinated by me being an Aboriginal woman lawyer too.

**AKM:**

Because at this point, how many of you were there?

**DO:**

I don't think there was hardly any of us at all.

**AKM:**

No.

**DO:**

So, there was the two of us. I got the interviews, and plus I got interviews from one of the counselors. In fact, she was the first—she was on the band counsel. That means she was part of the First Nation government. In fact, she was the first witness at the Ipperwash Inquiry years later. And she and her family had been there, because she felt duty bound as the counselor, even though these were almost like a castaway group.

People were angry at them from the First Nation. She felt duty bound too, because she had heard that things were happening there. So she was there the day before, and she heard the threats the police were making against Dudley George, because she sat with him in a picnic table, because she had brought food to them, she and her family had brought food. So she heard them, she actually heard them.

**AKM:**

Brave woman.

**DO:**

Yeah. And Pam and I we also brought our recorders. So we recorded everything—thank God—because years later, it became very important. She loved to type, so when we came back, she typed all the transcripts of my interviews with different people.

So that's how we got our facts. And so after that, that was January, February, and we sat here and you've got the story in that article I sent to you. We sat here, and just worked and worked. Just worked and worked and worked to get the notice. Because in order to do the notice very well, we had to actually do the full statement of claim. We just couldn't just do it in a sloppy manner. We had to be very, very careful. We had to just do it well. And then we organized a major news conference at the Native Centre,

and because it was the first time that the Indian point of view had come out, we got a lot of press. We were on the front page of the *Globe and Mail*, and I think that was the first statement of claim that had not been established, because it hadn't been contested. We issued it on November 23, 1996, and that's the day that Murray's first son was born [Allison laughs]. I remember he took his laptop—I think there were laptops already in those days. He took his laptop and he would be working on her bed [Both laugh] as she was in labour...

And we put the whole story in our statement of claim.

**AKM:**

Must have felt good to do that...

**DO:**

Oh! Thirty six pages. Then, notice of action issued on February 23, 1996, and then we filed the statement of claim on March 25, 1996, and it was, like I say, thirty six pages, huge amount of work...

There were so many things that happened that I can't begin to explain about, like, immediately we connected with the *Toronto Star*, with [reporter] Peter Edwards, who eventually wrote the book *One Dead Indian*, and it became a movie. But you can imagine the number of sessions we had with him, the continuous work we did with him. We connected with Gerry Phillips. He was one of the opposition, we worked with him very closely, the Liberals, and the NDP. This in 1996. And, it was just innovating. We ended up being in the *New York Times* because that was the only way to keep our case alive and to pressure, pressure any way we can.

**AKM:**

You've used the media very well in your career.

**DO:**

We've used the media. There were three of us. We eventually convinced the family to retain also Andrew Orkin, so there were three of us lawyers. There's three of us listed here. And he no longer is part of the action. But, at the time he had just come out of working with the Grand Counsel of the Cree, as one of their lawyers, who had used the international media exceptionally well. He also had been representing Amnesty International in certain cases, so he had a lot of connections that way. But also, the family member that had first approached me, who is the brother of Veronica George, Sam George's wife, Gary George, was a media consultant himself. He had also worked

for the Grand Counsel of the Cree. I remember he made the contacts of the press here in Toronto. So, we used the media well. The other interest groups, like the...

**AKM:**

Churches were involved too.

**DO:**

The churches were involved. We had a concert at, at Massey Hall, where the different labour groups assisted us so that there was a fundraiser concert, and Buffy St. Marie, we had a lot of people, it was a full house, I remember. And Sam [George] was just incredible. He died a few years ago.

**AKM:**

I read the obituaries and everybody said he was a special person.

**DO:**

He was a special person. So I couldn't maintain my office by 1998.

**AKM:**

Your life changed entirely.

**DO:**

My life changed and I went back to Saskatchewan. I became the general counsel for the Federation of Saskatchewan Indian Nations.

**AKM:**

Why didn't you stay here?

**DO:**

Because I needed to get a full-time job.

**AKM:**

Just a financial reason?

**DO:**

Financially. And I had done that work before with the Federation of Saskatchewan Indians.

**AKM:**

Yes.

**DO:**

I had worked for them over the years, and I knew their issues, so the learning curve wouldn't have been as difficult. So, when I got there, the Chief at the time was Perry Bellegarde (who lost by a few votes the Assembly of First Nations elections back in 2003. He's now back as the Chief in in Saskatchewan.) The first thing he gave me was, "I need you to work with the veterans, the Indian veterans." And so I did. I started working with the Indian veterans as general counsel. I mean, I had a lot of other duties as general counsel.

**AKM:**

It would be fascinating though.

**DO:**

Yeah, yeah. In fact, I was very surprised about being general counsel. I was thinking I would be spending my time doing a lot of aboriginal and treaty rights, which I did, and also this veterans case. But, on the other hand, we also had a lot to do with management issues, human resources, because they had a large staff.

**AKM:**

Yes.

**DO:**

And it was like being an ordinary lawyer dealing with very basic issues, employment.

**AKM:**

Did you like that?

**DO:**

It was—it was okay, let's put it that way [Both chuckle], but I had to survive. I remember, it was July when I started working at the Federation of Saskatchewan Indian Nations in 1998. I met with the veterans, and they're really funny, full of jokes. I had read the documents and they had done a major study on their issues in 1980. So that was 18 years down the road. At the time, they had said that they were angry, in 1980, because they had not received all the benefits from the government, in comparison to non-Indian veterans. And in the meantime...

**AKM:**

And this is 20 years later.

**DO:**

Yeah. In the meantime, there had been a Royal Commission, where the Royal Commission had said the same thing. There had been Senate hearings. They had said the same thing. So I met with them. So I told them, "Guys," I said, "I could be sitting with you for another 18 years. I'll know all your jokes [Allison chuckles]. We'll have had fun, but you are not going to go anywhere, unless you take the government to court." So I convinced them, or actually, I advised them—they had to be the ones to make that decision.

They made that decision. We had the statement of claim filed by, I think, that December.

**AKM:**

Wow, fast work.

**DO:**

This was another statement of claim that was just wonderful. We went through all the history, including the fact that they had fought in the wars—because we were representing the World War II and the Korean War veterans—and, in World War II, the fundamental nature of the wars was the struggle for freedom against tyranny, bigotry and oppression; that the Indian volunteers who survived these wars had fought for the human rights abuses that were happening, the genocide across the country. And when they came back into this country, they were no different from their non-Indian comrades. And then we started going into the fact that they never did receive the same benefits. Now, I convinced the organization to retain my good friend Murray [both chuckle] from here. I needed his assistance, but also it was a way to assist the George family...

**AKM:**

I see.

**DO:**

So that he had other kind of work.

And so we did another killer statement of claim [Allison chuckles]. We filed it in the Court of Queen's Bench in Saskatchewan, we filed it that December. Within the month, there were two copy cat statement of claims filed in the federal court by other lawyers. They had taken our statement of claims, scanned them and copied them...

**AKM**

Direct copy?

**DO:**

Oh, yeah. Word for word. Oh, my God, I was beside myself...

**AKM**

Wow.

**DO:**

So we quickly filed with the Federal Court and convinced them that we had been the first, and so they back-dated so that we were the first.

We convinced them. And I took it to the law society against that one particular lawyer, but at the end, they said that it was a public statement. Anyone can use it.

**AKM:**

Interesting.

**DO:**

Yeah. And again, there was a lot of lobbying as a result of this. Canada finally said, "Well, if we're going to negotiate with the Saskatchewan veterans, then we have to negotiate with all of the Indian veterans in Canada, because they have the same issues." Now, the key thing to this statement of claim—none of the other major reports had precisely stated what the outstanding legal issue was, they all said that they didn't receive their full benefits, but you had to bring it down to the level as to what a court could recognize and nobody had ever articulated in such a way that a court would

recognize—what [the issue was] was that non-Native veterans got benefits—there were so many different statutes for different subjects, like education, land, those were the two keys—whereas all status Indian veterans were told they were not eligible under those statutes. They could only go to the Indian Affairs branch, and they would get benefits from the Department of Indian Affairs, for instance, for farmland—except the farmland that they received on the reserve continued to be held in common by the government for the use and benefit for all. That was one of the issues. Whereas, with non First Nations or non status veterans, if they met so many different conditions, they could eventually own their land in fee simple.

So, the Indian veterans didn't have that right, and most of them eventually lost their lands in any case, because of different issues on the First Nations. They didn't get the same education benefits and, again, because there were monies available to educate Native people under Aboriginal Affairs and Northern Development department. [But it was] Not to the same extent. Anyway, we actually had to do an actuarial report. We had to retain an accountant to do all of that. It was a major study. We interviewed people. I remember interviewing the former Deputy Minister of Justice in Saskatchewan. His name was Dick Gosse. He became a Deputy Minister of Justice.

He articulated in his affidavits the kind of benefits he received as a non status Indian, and how he was able to utilize them to achieve the position he obtained. And so, and then, in the accounting study that was done for us, they actually put it into dollars and figures, the differences, in money, and I think that's what really helped. Those were the things that really helped. The end result is that they formed the national committee with representatives from the different veterans groups across Canada, because they told us, "If we're going to negotiate with you, we have to negotiate with the other veterans." So, Murray and I were part of that team, of course, and we eventually did reach a \$40 million dollar settlement out of that.

**AKM:**

Wonderful.

**DO:**

Yeah, so that was the Indians Veterans case. Then I also did three other litigation, major litigation cases in Saskatchewan, which Murray helped me all through those years. I survived with the Federation of Saskatchewan Indian Nations two years. And, by 2000, I went on my own. And then, at that point, I got appointed, even though I was in private practice, by the Government of Canada, as a chief federal negotiator to negotiate, for a land claim in the Northwest Territories. I didn't last long. I lasted a year, and I remember telling the minister, "If someone wants to retire in this position and just keep going year after year, it's ideal for that type of a person." With me, I like to begin



and end something and I just don't see this ending within my lifetime. And I did work for the province, too, at one time here in Ontario, in an appointed position. I was put into the selection committee, for the Alcohol and Gaming Commission of Ontario. And I was on the selection committee, to choose the manager and operator for the Casino Rama. So I got to go to different places all over the United States, studying gaming institutions. We ended up choosing at the time, Carnival. It's the same company that operates the cruises. They operated for the first few years. I know that there's another organization that operates the casino. We had very major gaming corporations from across the world, really, that applied to operate and manage [it]. So those meetings were very interesting.

**AKM:**

Different. Different groups entirely again.

**DO:**

Yeah, yeah. That was in the 90's.

**AKM:**

And so, and were you mostly based from Saskatoon, or were you back here?

**DO:**

At the time, when I did this for Ontario, it was during that era, it was about '94, '95. It was before I went to Saskatchewan. I just brought that in to show you that I have worked for governments too.

**AKM:**

Yes. So after you left the Federation, then, did you come back here?

**DO:**

No. I stayed in Saskatchewan and I continued to maintain my contracts with the Federation. So I opened an office there, which I was there until 2005.

**AKM:**

You have two homes. Back and forth...

**DO:**

Well, I do have a home in Saskatchewan that I built on my reserve for my family. That's another story in its own, because you cannot get loans for houses on reserve. You can get a CMHC loan if it's your primary residence.

**AKM:**

Oh.

**DO:**

And it wasn't mine, so I had to pay cash for everything. Oh, my God [Allison chuckles]. Well, my sister lives there now.

**AKM:**

Very good.

**DO:**

Yeah. So, anyway, I came back here in 2005. Two things happened, one of them I don't really want to talk about [Chuckles], but the other one I'll talk about, because it was all over the papers. In 2002, David Ahenakew made his racist hate remarks against the Jewish community.

**AKM:**

Yes, I remember.

**DO:**

And he was one of my clients. We had taken that court action against the Government of Canada on a major issue, related to changes to the Indian Act, and he was my lead plaintiff. In any case, I woke up one Saturday morning, six o'clock in the morning, picked up the paper, and it was the front page story...

**AKM:**

Devastating.

**DO:**

I hadn't heard the radio the night before. It was the front page story. I was in shock, this can't happen. As soon as I could, I think, by about eight or nine o'clock, I phoned the Saskatoon *Star Phoenix* (that was the local paper) I said, "I want to write a letter to the

editor. Who can I talk to about it?" (I just wanted to get all the information how to do it properly). And they put me to the newsroom and gave them my name, and someone recognized who I was—I was the former general counsel for the Federation of Saskatchewan Indian Nations. And I said, "I want to write a letter." Anyway, they started interviewing me, "What do you think?" And I said—oh, no, actually, I, led the interview, I just said, "I am so shocked. I'm sure you're receiving so many calls from other Aboriginal people. I'm sure everybody's just stunned, and they're wanting to apologize to the Jewish community," and on and on. Anyway, it became an interview. I ended up in the national press on that one [chuckles], because nobody else had called. And nobody would make a public statement. Phil Fontaine phoned me, I think that Monday or Tuesday, saying, "Thank you for being willing to make that comment".

**AKM:**

Shocking.

**DO:**

It was so shocking. And I went on all kinds of radio programs in Saskatchewan. I wrote an article in the *Toronto Star*. I was quoted by Margaret Wente in the *Globe and Mail*. I don't know what term she used, but [something like] she was the only one with the fortitude to come forward immediately. Eventually, a lot of people did. But I was the one that led the charge to denounce what he had to say. The end result of that is within two months, I lost all my contracts.

**AKM:**

Now, that's shocking too.

**DO:**

Yeah, all those major contracts from the Federation of Saskatchewan Indian Nations. I lost them all. And I remember asking one of the chiefs, months later, "Why did I lose?" and he says "When there was a debate on it, some of the chiefs said, "Why should we continue paying her when she has denounced one of our own, one of our own former leaders?" I lost all of them. But in the meantime—so this is about 2003, 2004—in the meantime, Ted Hughes had been appointed by the Government of Canada, to lead this new Indian residential school ADR (alternative dispute resolution process). And he had phoned and asked me to apply to be one of the adjudicators. And, eventually, I had applied, and thank God for Ted Hughes. I just was without work.

**AKM:**

That's terrible.

**DO:**

Yeah.

**AKM:**

Was it a complete surprise to you that that would happen?

**DO:**

Oh, I knew it was starting to happen because a lot of people were angry at *me*.

And you knew people were nervous around me. I mean, you could just feel it.

And I remember people making a special case, like Don Worme, people like that, to really pay attention to me, knowing that I was being ostracized.

I remember I talked to one Jewish community person telling him, “Maybe you better be careful about being around me,” and he actually said, “Yes I will be careful, because my work is with those people,” and I remember being surprised that he was more support. I was surprised the Jewish community didn’t come to my support that much. They didn’t. Not in Saskatchewan. The only two people that really came to my support, were Allan Borovoy from the Canadian Civil Liberties Association, immediately phoned me and asked me to be on the Board of Directors; and a guy by the name of—I’ll remember his name, we still exchange e-mails—and he put me on a number of committees with the B’nai Brith here in Toronto. He was here in Toronto. Those were the two that really really came to my support among the Jewish community. Otherwise, they didn’t.

**AKM:**

What did Canoe Lake think?

**DO:**

My mother was totally in support. My mother said—well, she’s 96, she died now [in 2012]—she was obviously an adult by the time, and she remembers when they first started hearing about the war and what was happening in Europe, the gossip that was going around was that, if Hitler had won, he would have come to North America and he would have done away with Aboriginal people too, and that was their fear at the time. They knew it was a racist and hate-oriented [regime] against the Jewish [people], and that they were killed. And, so she was very supportive. Some people were supportive, yeah. In the meantime...

**AKM:**

That was fortuitous then.

**DO:**

Yeah. I still retained one or two clients, but by 2004, my full-time job literally was doing what I'm doing now. Now, I'm a deputy chief adjudicator, but at that time, I became an adjudicator.

**AKM:**

Have the relationships improved?

**DO:**

Well, thank God Perry Bellegarde is back, because he totally supported me in what I was doing. But he had lost his election. And, in fact, he was still the chief when this came down, in 2003, and he ensured that he did the same, that he criticized, denounced [Ahenakew] but he lost his election in 2004, and shortly after, my contracts were terminated. But, for me, it was, because of what happened.

He just got in this past year, a month ago actually in October, he was elected back. So Perry Bellegarde certainly did support me. Phil Fontaine did support me very strongly. So that means that I've had to leave two provinces because of my stance, and in both cases, my income really did suffer.

So, to be honest with you, I don't know if I would advise young people to be so brave. It's too—it takes too much, it can be heartbreaking. It's really, really difficult when you go through this. It's just—it's just awful, in both cases.

**AKM:**

I can't imagine it because it's...

**DO:**

Yeah.

**AKM:**

Your livelihood, and also...

**DO:**

Oh, yeah.

**AKM:**

Your whole support system, and your...

**DO:**

Yeah, yeah.

**AKM:**

Everything in fact.

**DO:**

And in the meantime, the Liberals were elected into office. One of their first announcements, in fact, I think it was their first announcement, was that they would call an inquiry into Ipperwash.

**AKM:**

Yes.

**DO:**

And I can't remember the year. Let's see, I came back here in 2005. It was...

**AKM:**

2003, I think. Was it?

**DO:**

No, I think it was soon after that. Because I remember coming back. We eventually got some of our costs back. They paid some of our costs. So, all those outstanding accounts I had from the 90's eventually got paid back. Not all of it, I can't remember how much we got, or how much percentage we got, but we did get some. So, I came back because I just felt uncomfortable in Saskatchewan. I was totally uncomfortable there. Just uncomfortable. I remember I was afraid of running into people. I was afraid of going into the Native public community. I stayed in my house for months. Then I came back here, in order to get away from that, so I could live a full life, because I couldn't there. Thank goodness, as an adjudicator, it required me to travel, because

when you have hearings, you have to go all over. So, I didn't spend much time—I didn't have to work much in Saskatchewan.

**AKM:**

Do you get to choose where you go?

**DO:**

No.

**AKM:**

No.

**DO:**

No.

**AKM:**

So, what's your life as an adjudicator like?

**DO:**

What was it like?

**AKM:**

Are you finished now? Has it been five years?

**DO:**

More or less, in the sense that I'm now a deputy chief [adjudicator], and I oversee about 20 adjudicators. And I do mostly administration work. I do a lot of appeal decisions...

**AKM:**

Do you stay in one place more?

**DO:**

Here.

**AKM:**

Oh, here [Both laugh].

**DO:**

As an adjudicator, I will give you an example. My first hearing, I got the news, was in January of 2004. I had had my training in that November. My first hearing was in January and in those days, we used to get huge package [of information]. Now, it's all on,...

In fact, maybe I better not go there because we are very restricted with confidentiality.

**AKM:**

I see.

**DO:**

Let's just put it this way. I had never, never, known what really goes on in the communities. [pause] It's almost like I've made a total turn. I started off life being on the reserve, going into residential schools for my education, 11 years. And now, I'm working in Indian residential schools. And the effects of what happened to people in the residential school, and how it's damaged and destroyed people's lives, their children, their grandchildren, in some cases. But, yet, also you see how brave people have [to be] to try to heal. I've really, really seen what true communities are. I've seen incredible courage, bravery, also incredible pain and suffering.

**AKM:**

Day after day, you've listened to oral testimony.

**DO:**

Yes, yes.

**AKM:**

It would be hard on you.

**DO:**

At the beginning, it's very hard, but eventually, you adjust. Eventually you adjust.



**AKM:**

So, you had to learn many things that you didn't realize, because you had good residential school, relatively good...

**DO:**

Yes.

**AKM:**

Residential schools experience.

**DO:**

Yes.

**AKM:**

What about being a deputy chief adjudicator, is that a completely different role, I guess?

**DO:**

Yes. It's like any other position when you oversee other people.

**AKM:**

And how long will you be doing that?

**DO:**

We don't know. I think it's another year but we have so much more to do.

**AKM:**

What would be the most difficult type of issue that you would deal with?

**DO:**

I think that would be going into too much detail, because we are very restricted with our confidentiality because we have to respect those peoples' privacy.

**AKM:**

Yes. Of course, of course.

**DO:**

Yeah.

**AKM:**

Well, we'll leave that now, but, and I know our time is almost up. But tell me about the Women's Law Association. You won the President's Award, this year.

**DO:**

Yes.

**AKM:**

Congratulations!

**DO:**

Thank you. Well, there's the cup [pointing to an item on a shelf].

**AKM:**

Oh, beautiful.

**DO:**

Crystal. Apparently, Beth Symes was the one that nominated me. I'm so grateful to her. It's an honour. They had a dinner at the King Edward Hotel, and my sister came and a lot of my friends came, and other Native lawyers came. And I really so appreciated the function. The women were just so respectful of me and my achievements. And I so appreciated it.

**AKM:**

That's wonderful. And, you've had many honors though.

**DO:**

Well, I won the National Aboriginal Achievement Award. Now, when I said that the community didn't really support me after the criticism of David Ahenakew, I must say the

Indigenous Bar Association, when I mentioned Don Worme earlier—he's one of the lawyers—he really went all out to honour me. And in fact...

**AKM:**

You became Indigenous—what was the honour, one of only twelve? Indigenous People's Counsel, is it?

**DO:**

Yes. But, they also held a conference [called "Hate and Racism—Seeking Solutions"] and the man who instigated it was Mark Stephenson. He practises in Vancouver. They held a conference in Montreal, where they brought and invited so many different groups from so many different nationalities from across Canada, to speak on racism and hatred. We had Muslims Blacks, Jewish, Asian...

**AKM:**

When was this, Delia?

**DO:**

2004. [Going to an office wall and reading from a framed plaque there]

"For demonstrating commitment to the elimination of hate and racism in Canadian society, having served with honour in the Indigenous community, by promoting the fundamental values of equality and respect for diversity and human rights."

So, the conference was in March, 2004. And then that's my other award that over there. That's the Indigenous People's Award.

**AKM:**

Yes, so...

**DO:**

This one was a special award.

**AKM:**

Very valuable.

**DO:**

Yes, very valuable. I was honoured by the Indigenous Bar Association at this conference that they had hosted, and our guest speaker was the general, Romeo Dallaire. Mr. [Maher] Arar was there too. He spoke. It was really a major conference. And that's when I received the award. Stephen Lewis was there. We had representatives from the different nations of the world, that now live in Canada.

**AKM:**

Your bravery was recognized.

**DO:**

Yes, yes. And then, I also eventually got the Indigenous People's Counsel award, which is like our Q. C.

**AKM:**

Yes.

**DO:**

Then, I got the National Aboriginal Achievement Award for 2009.

**AKM:**

Very good.

**DO:**

On justice.

**AKM:**

And when you look at all your achievements in your life, what would be the one that you are most proud of?

**DO:**

[pause] I think that special award I got as a result of my statements [against racist comments] because I am the only one that ever received that the Indigenous Bar Association for my work in human rights.

I'm also proud to be a vice-president of the Canadian Civil Liberties Association, which I'm still on, and again, that came as a result of what happened then.

**AKM:**

I see, very good. Is there anything else you'd like to add, Delia? I know our time is short today.

**DO:**

Let me just see quickly.

**AKM:**

What do you see in the future?

**DO:**

I'd like to retire [laughs], but let this be a warning to young people, to young lawyers. When you're in private practice, it's really hard to retire, because you don't have a pension.

**AKM:**

Yes.

**DO:**

And that's what stopping me. I'd like to slow down, but again, it's very hard to do. I don't know how people can say they can work two days a week, because when you get into some [work], even writing—I guess in a way, I'm already sort of retired in the sense that, since 1990, when I went on my own, if I want to take a day off, I'll take it off, because I only have myself to answer to. So, if I wanted to really slow down, I guess I could do it.

**AKM:**

So, I guess you don't really want to.

**DO:**

Well, I just haven't really focused enough on it. I'd like to spend more time on an Indian reservation, be part of the community, because I just love it. That's what I miss. And the other thing I miss is—in my work life, the happiest that I've ever been—I mean, I've received a lot of happiness out of my work as a lawyer—but I really, really had fun

when I worked with Buffy Sainte-Marie, in New York, and when I worked here in Toronto, almost like an event planner. I really like that, because I was out with the community. This work I do now doesn't really use my skills being in the community, it just doesn't. And yet, that's where I have the most enjoyment and I have the most skill.

**AKM:**

Making connections.

**DO:**

Yeah. Because I'm good at that.

Nobody phones me here, because claimants obviously are not allowed to really phone us. So I should really probably do more volunteering, is what I'm thinking. I probably should do that, get connected to the community. Because I sure enjoyed it when I was doing the work with the Native Earth Performing Arts with Tomson Highway.

**AKM:**

That's wonderful.

**DO:**

Yeah.

**AKM:**

And, so where would you spend more time, what community would you spend more time in?

**DO:**

I think I like both Toronto and also—I was thinking when we had the funeral for my mother (the wake, it was a three day event), I so enjoyed my family. I thought, I don't know why I don't spend more time with them. I so enjoyed my family, not just my brothers and sisters but my nieces and nephews, cousins.

**AKM:**

Where are they?

**DO:**

There is a huge amount of them. They are scattered up and down the country, but most of them are in Saskatchewan. A lot of them work in the cities in Saskatchewan, the different cities, but they'll go back and forth.

**AKM:**

Good, that's wonderful.

**DO:**

Yes.

**AKM:**

Thank you very much, Delia.